



भारत का राजपत्र

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नई दिल्ली, शनिवार, फरवरी 28, 1981/फल्गुन 9, 1902

No. 9] NEW DELHI, SATURDAY, FEBRUARY 28, 1981/PHALGUNA 9, 1902

इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—हाण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(एक मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक प्रावेश और प्रधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

विधि, न्याय और कर्मसी कार्य मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 3 फरवरी, 1981

सूचनाएं

का. आ. 677 :—नौटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महेन्द्र इन्द्रजीत सेठना, एडवोकेट "चन्दन निवास" 6 बालकेश्वर रोड, बम्बई-400006 में उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया दिया है कि उसे बालकेश्वर तथा बम्बई फोर्ट में व्यवसाय करने वाली के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नौटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के छोद्दह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (73)/80-न्या.]

**MINISTRY OF LAW, JUSTICE AND COMPANY
AFFAIRS**

(Department of Legal Affairs)

New Delhi, the 3rd February, 1981

NOTICES

S.O. 677.—Notice is hereby given by the competent Authority in pursuance of Rule 6 of the Notaries Rules, 1956, that

1323 GI/80-1

application has been made to the said Authority under Rule 4 of the said Rules by Shri Mahendra Inderjeet Sethna, Advocate 'Chandan Niwas' 6, Walkeshwar Road, Bombay-400006 for appointment as a Notary to practice in Walkeshwar and Port areas of Bombay.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within 14 days of the publication of this Notice.

[No. 5(73)/80-Judi.]

नई दिल्ली, 13 फरवरी, 1981

का. आ. 678 :—नौटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ए. सैयद अली, एडवोकेट, 53 आरम्भनियन स्ट्रीट, सद्रास-600001 ने उक्त प्राधिकारी को उक्त नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मद्रास जोर्ज टाऊन एरिया (समस्त मद्रास प्रदेश) व्यवसाय करने के लिए नौटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नौटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के छोद्दह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5/72/80-न्या.]

एम. ग्रास, सक्षम प्राधिकारी

New Delhi, the 13th February, 1981

S.O. 678.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that

(705)

application has been made to the said Authority, under rule 4 of the said Rules, by Shri A. Syad Ali, Advocate, 53, Armenian Street, Madras-600001 for appointment as a Notary to practice in Madras George Town area (Madras State for the whole).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. 5(72)/80 Judl.]

S. GOOPTU, Competent Authority.

गृह मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 13 फरवरी, 1981

फा. आ. 679 :—दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, दिल्ली विधायक पुलिस स्थापना नियमित मामले में 6/77 तथा 8/77-रांची से उत्पन्न मामलों में अभियूक्त व्यक्ति द्वारा पटना उच्च न्यायालय की रांची पीठ में वायर की गई आपराधिक याचिकाओं का संचालन करने हेतु पटना के थी प्रकाश नारायण पाण्डे, अधिवक्ता, को विधाय लोक-अभियोजक नियुक्त करती है।

[संख्या 225/51/80-ए. धी. छी.-2]

टी. के. सुब्रामनियन, अधर सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 13th February, 1981

S.O. 679.—In exercise of the powers conferred by subsection (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Prakash Narain Pandey, Advocate, Patna, as Special Public Prosecutor for conducting the Criminal Petitions filed by the accused person in the cases arising out of Delhi Special Police Establishment Regular Cases Nos. 6/77 and 8/77-Ranchi, in the Ranchi Bench of the Patna High Court.

[No. 225/51/80-AVD-II]

T. K. SUBRAMANIAN, Under Secy.

नई दिल्ली, 13 फरवरी, 1981

फा. आ. 680 :—राष्ट्रपति, सर्विकान व अन्तर्राष्ट्रीय 148 के अण्ड (5) के माथ पठित अन्तर्राष्ट्रीय 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखा परीक्षा और लेखा विभाग में सेवा करने वाले व्यक्तियों के सम्बन्ध में नियंत्रक-महानेता परीक्षक से परामर्श करने के पश्चात्, केन्द्रीय सर्विल सेवा (पेन्शन) नियम, 1972 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का मंत्रिपति नाम केन्द्रीय सर्विल सेवा (पेन्शन) (संशोधन) नियम, 1981 है।

(2) ये राजपत्र में प्रकाशन की सारीस को प्रदत्त होंगे।

2. केन्द्रीय सर्विल सेवा (पेन्शन) नियम, 1972 के नियम

69 के उपनियम (1) के खण्ड (ग) के पश्चात् निम्नलिखित परन्तु अन्तःस्थापित किया जाएगा, अर्थात् :—

“परन्तु जहां केन्द्रीय सर्विल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 165 के नियम 16 के अधीन विभागीय कार्यवाहीयों उक्त नियमों के नियम 11 के खण्ड (1), (2) और (4) में विनिर्दिष्ट शास्त्रियों में से कोई शास्त्र अधिरोपित करने के लिए संस्थित की गई है। वहां सरकारी सेवक को संदेश किए जाने के लिए उपदान के संदाय प्राप्तिकृत किया जाएगा।”

[सं. 30/2/80-पेन्शन यूनिट]

एस. पी. मदान, नियेशक

New Delhi, the 13th February, 1981

S.O. 680.—In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) (Amendment) Rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972, in sub-rule (1) of rule 69, after clause (c), following proviso shall be inserted, namely :—

“Provided that where departmental proceedings have been instituted under rule 16 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, for imposing any of the penalties specified in clauses (i), (ii) and (iv) of rule 11 of the said rules, the payment of gratuity shall be authorised to be paid to the Government servant.”

[No. 30/2/80-Pension Unit]

S. P. MADAN, Director.

वित्त मंत्रालय

(राजस्व विभाग)

आवेदन

नई दिल्ली, 17 जनवरी, 1981

स्टाम्प

फा. आ. 681 :—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (स) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा महाराष्ट्र राज्य वित्तीय निगम को, मात्र आठ लाख उनहस्तर हजार दो सौ पचास रुपये के उस समीकृत स्टाम्प शाल्क की अदायगी करने की अनुमति देती है, जो उक्त निगम द्वारा जारी किए जाने वाले ग्राहक करोड़ पचपन लाख रुपये के अंकित मूल्य के बन्धपत्रों पर प्रभार्य है।

[सं. 1/81-स्टाम्प फा. सं. 33/36/80-वि. कर]

जी. एम. महेश, अधर सचिव

**MINISTRY OF FINANCE
(Department of Revenue)
ORDER**

New Delhi, the 17th January, 1981

STAMPS

S.O. 681.—In exercise of the powers conferred by clause (b) sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), Central Government hereby permits the Maharashtra State Financial Corporation to pay consolidated stamp duty of Eight lakhs sixty nine thousand two hundred and fifty rupees only, chargeable on account of the stamp duty on bonds of the face value of eleven crores and fifty five lakh rupees to be issued by the said Corporation.

[No. 1/81-Stamps-I, No. 33/36/80-ST]
G. S. MEHRA, Under Secy.

नई दिल्ली, 20 जनवरी, 1981

आयकर

का. आ। 682:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के संड (44) के उप संड (3) का अनुसरण करते हुए, तथा भारत सरकार के राजस्व विभाग की विनांक 20-9-1980 ती अधिसूचना में 3668 (फा. सं. 398/18/80-आ. क. स. क.) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्वारा श्री एम. ए. दबे को, जो केन्द्रीय सरकार के राजपरिषद् अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री एम. ए. दबे द्वारा कर वसूली अधिकारी के पद का कार्यभार ग्रहण करने की तारीख से लागू होगी।

[सं. 3811/फा. सं. 308/18/80-आ. क. स. क.]

एच. वेंकटरामन, उप सचिव

New Delhi, the 20th January, 1981

INCOME TAX

S.O. 682.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3668(F. No. 398/18/80-ITCC) dated 20-9-80, the Central Government hereby authorises Shri M. A. DAVE, being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri M. A. DAVE takes over charge as Tax Recovery Officer.

[No. 3811/F. No. 398/18/80-ITCC]
H. VENKATARAMAN, Dy. Secy.

**आर्थिक कार्य विभाग
(वैकांग प्रभाग)**

नई दिल्ली, 13 फरवरी, 1981

का. आ। 683:—प्रावेशिक ग्रामीण बैंक अधिनियम, 1976 (1876 का 21) की धारा 11 की उपशाहा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री पी. के. वास-

को रूपिकूल्य बौं, बंरहामपुर का अध्यक्ष नियुक्त करती है तथा 14-2-1981 से प्रारम्भ होकर 13-2-1984 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके बौरान श्री पी. के. वास अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 1-15/80-आर. आर. बी.]
इन्द्रानी सेन, अद्वर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 13th February, 1981

S.O. 683.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri P. K. Das as the Chairman of the Rushikulya Gramya Bank, Berhampur and specifies the period commencing on the 14th February, 1981 and ending with the 13th February, 1984 as the period for which the said Shri P. K. Das shall hold office as such Chairman.

[No. F. 1-15/80-RRB]
INDRANI SEN, Under Secy.

(केन्द्रीय उत्पाव एवं सीमाशुल्क समाहर्ता का कार्यालय)

बंगलौर, 15 दिसम्बर, 1980

सीमाशुल्क

का. आ। 684:—1982 के सीमाशुल्क अधिनियम की धारा 8 (ख.) के अन्तर्गत सीमाशुल्क को प्रदत्त शक्तियों का प्रयोग करते हुए, तथा इस कार्यालय के दिनांक 10-1-77 की अधिसूचना संख्या 1/77 सीमाशुल्क की. म. सं. 8/48/199/75 सी. श. का अधिक्रमण करते हुए मैं, श्री रवीन्द्रनाथ शक्ति, समाहर्ता सीमा तथा केन्द्रीय उत्पाव शुल्क बंगलौर इस अधिसूचना द्वारा बंगलौर हवाई अड्डे (वायु पत्रन) के सम्बन्ध में निम्नलिखित स्थानों को सीमाशुल्क क्षेत्र के रूप में विचिनिदिव्य करता हूँ।

(1) हवाई अड्डे का संपूर्ण इलाका, (एरोडोम) जिसका माप उत्तर से दक्षिण तक 701-04 मीटर, और पूर्व से पश्चिम तक 4124 मीटर है तथा जिसके टर्मिनल कम्पलेक्स जिसका माप 51800 वर्ग मीटर, हवाई अड्डा, कान्दूलोन टावर, रन वे., टर्मोकॉ, पार्किंग बेस, एंडरलाइनस के कार्यालय बिल्डिंग तेज संस्थान तथा अन्य इमारतें भी शामिल हैं, निम्नलिखित स्थानों से घिरा हुआ है।

दक्षिण में :—छल्लाघट्टा गांव, एन. ए. एल रोड, बेलूंदर टैंक एन. ए. एल बिल्डिंग्स कोपापुर और येम-लूर गांव हैं।

उत्तर में :—मरुषे गाल्या, कोनेनग्रहार, गांव, एवियेशन मैडिकल स्कूल, एन. ए. एल. फैटरी बिल्डिंग, 26 एंजर फोर्म डिपो और बंगलौर दरथर रोड से घिरा है।

पूर्व में :—मार्थिहिली गांव से घिरा है।

पश्चिम में :—छल्लाघट्टा टैंक।

(2) एंडर कार्गो कैम्पलेक्स जो एम. एस. आई. एल. हॉस में, एंडर पोर्ट से हुरी पर है जिसका माप 2,900 वर्ग मीटर होता है, सर्वे नं. 3/4 कोनेना अग्रहार गांव, बंगलौर दक्षिण तालूक में है, निम्न लिखित स्थानों से घिरा है।

उत्तर में :—टिप्पा रेडी की भूमि।

दक्षिण में :—पटेल बसपा की भूमि।

पूर्द्ध में :—एवियोशन मर्फेडिसिन की संस्थान, रक्षा मंत्रालय।

परिचम में :—सर्वीस रोड।

[अधिसूचना सं. 3/80(सीमाशल्क)/मी. सं. 8//48/25780-सी-

2 (सी. ए.)]

रवीन्द्रनाथ शक्ति, समाहर्ता

(Office of the Collector of Central Excise and Customs)

Bangalore, the 15th December, 1980

CUSTOMS

S.O. 684.—In exercise of the powers conferred upon the Collector of Customs under section 8(b) of the Customs Act, 1962, and in supersession of this office Notification No. 1/77 Customs C. No. VIII/48/199/75 Cus. dated 10-1-77, I, R. N. Shukla, Collector of Central Excise and Customs, Bangalore hereby specify the Customs area in respect of Bangalore Air Port as under :—

(1) The whole of the Aerodrome Area measuring North to South 701-04 Mts., East to West 4124 Mts., including the terminal complex measuring 51800 Sq. m. Air Port, Control Tower, Runways, the tarmac, parking bays, Air line offices,

buildings, oil installations and all structures bounded by the following :—

SOUTH: By Challaghatta Village, NAL Road, Bellunder Tank, NAL Buildings, Kempapura Village, Yenilur Village;

NORTH: By Murugeshapalya, Konenagahara Village, School of Aviation Medicine, H.A.L. Factory Buildings, 26 Air Force Depot and Bangalore—Varthur Road;

EAST: By Marthahalli Village;

WEST: By Challaghatta Tank,

(2) The Air Cargo Complex situated in the M.S.I.L. House situated on the Airport Road, 4 K.M. from the Air Port measuring 2,900 Sq. mts. at Survey No. 3/4, Konenagahara Village, Bangalore South Taluk, bounded by the following :—

NORTH: Tippa Reddy's Land.

SOUTH: Patel Basappa's Land.

EAST: Institute of Aviation Medicine, Ministry of Defence, Government of India.

WEST: Service Road.

[Notification No. 3/80 (Customs)/

C. No. VIII/48/257/80.C2/Cus.]

R. N. SHUKLA, Collector

प्रवर्तन निरेशालय

(विदेशी सुदूर वित्तियमन अधिनियम)

मई दिल्ली, 3 फरवरी, 1981

विंगू.ब० ग्राधिनियम

आ० 685.—विदेशी सुदूर वित्तियमन प्रधिनियम, 1973 (1973 का 46) की धारा 79 द्वारा दी गई शक्तियों का प्रयोग करते हुए केवल भरकार द्वारा बदले गई विदेशी सुदूर वित्तियमन (नाम प्रशासन) नियमावली, 1975 के अनुसरण में प्रवर्तन निरेशालय इसके द्वारा दिनांक 7-5-76 से 6-8-76 तक की तीन माह की अवधि के लिए निम्नलिखित व्यक्तियों के नाम और भव्य व्यौरे प्रकाशित करते हैं :—

(क) वे व्यक्ति जिन्हें विंगू. ब० विंगू. ग्राधिनियम, 1973 की धारा 56 के अधीन व्यायासयों द्वारा दोष-सिद्ध किया जा चुका है या वे व्यक्ति जिन्हें विंगू. ब० विंगू. ग्राधिनियम, 1947 की धारा 23 की उपधारा (1) में निर्दिष्ट किसी उपबन्ध के उल्लंघन के लिए व्यायासयों द्वारा दोष-सिद्ध किया जा चुका है, और

(ख) वे व्यक्ति जिन्हें विदेशी सुदूर वित्तियमन प्रधिनियम, 1973 की धारा 50 के अधीन व्यायनियन अधिकारियों द्वारा व्यायनियन करके पेनाल्टी के लिए वायी ठहराया है अथवा वे व्यक्ति जिनके विरुद्ध निरेशालय या इन आरे में निरेशालय, प्रवर्तन निरेशालय की शक्तियों के प्रयोग और उनके कार्यव्यों के विवरण के लिए प्राधिकृत प्रवर्तन निरेशालय के किसी प्रभ्य अधिकारी ने यह व्यायनियन किया है कि उन्होंने विदेशी सुदूर वित्तियमन प्रधिनियम, 1947 की धारा 23 की उपधारा (1) में निर्दिष्ट किसी उपबन्ध के उल्लंघन किया है, जहाँ

(i) उस व्यक्ति के विरुद्ध किसी पिछले अवधार पर इसी प्रकार व्यायनियन किया गया है अथवा उस दोष-सिद्ध किया जा चुका हो, या

(ii) व्यायनियन अधिकारी द्वारा भगाई पेनाल्टी, उस भारतीय सुदूर या विदेशी सुदूर सहित जिमके जब्त करने के आदेश किए गए हैं, या मूल्य ₹ 10,000. 00 या उससे अधिक हो।

उपर्युक्त "क" के अनुसार दोषसिद्ध व्यक्ति

क्र० सं० पार्टी का नाम और पता

विंगू. ब० विंगू. ग्राधिनियम के

उपबन्ध, जिनका उल्लंघन

हुआ

दी गई भारी के व्यौरे

व्यायालय द्वारा विंगू. ब० विंगू. सुदूर के भारी में

विंगू. ग्राधिनियम 1947 की वापस लाने विषयक निरेशों

धारा 23 (1-वा) के अधीन के व्यौरे

विवेशित जब्ती के व्यौरे

1 2 3 4 5 6

- श्री मोयालंगी टनाला, जापानी राष्ट्रियका—जो कमरा सं० 10, लिटन होटल, 14, मर्वर स्ट्रीट, कलकत्ता-6 में रहते हैं।

विंगू. ब० विंगू. ग्राधिनियम

1973 की धारा 56 के

मात्र पाँच गई धारा 8

(1) 1973

31-7-76 को उन्हें व्याया-

न्य के उठने नक की कैद

की भारी दी गई

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7-5-76 से 6-8-76 तक
उपर्युक्त "ख" के ग्रन्तीयां न्यायिकार्यालय

क्र. सं.	पार्टी का नाम और पक्ष	विं मूँ विं अधिनियम के देनाली रूपों में उपर्युक्त, जिनका उल्लंघन हुआ	भारतीय या/और यदेशी स्वदेश वापसी लाने के लिए करेन्सी की जटी के लिए आवेदित यदेशी मुद्रा की प्राप्तेशित राशि		
1	2	3	4	5	6
1.	श्री तैदबश्ली कुरडान दुसीन दृध्याला, 53, भाजीपाला लेन, बमरा नं. 31, बमरई-3	5(1)(ग)	₹ 30,000.00	--	--
2.	डॉ शंकर ओवरी, 26ए, रमन रोड सन्दन इ० प्र०	4(1) प्र० और 4(2) पर उपार्जित ब्याज	₹ 13,560.00	--	--
3.	श्री एम० ए० लर्टफ, के० पा० हाउस, पो० ध्रुवर, वारकर, केरल राज्य	5(1)(कक) 5(1)(ग)	₹ 20,000.00	--	--
4.	श्री सो० एम० गोपालन नम्बियार, 'शेल्टर', पोस्ट ग्राफिस रोड, केनेनूर, केरल राज्य	5(1)(कक) 5(1)(ग)	₹ 40,000.00	--	--
5.	मैनसै अमरणी श्रीमती एण्ड क० धनबाड़, जिला-जमनगर	5(1)(ग) 5(1)(ध) 5(1)(क)	₹ 17,260.00	--	--
6.	श्री पी० आगर्टीन, 35, हीरानन्द रोड, काक्स टाउन, बंगलौर-5	5(1)(कक) 5(1)(ग)	₹ 19,000.00	₹ 6,700.00	--
7.	(i) श्री ए० एम० यूसुफ, (ii) श्री अमुल करीम, पोडियाल हाउस, बेटर, वरकला के पास, जिला-त्रिवेन्द्रम, केरल	{ 5(1)(कक) 5(1)(ग)}	₹ 5,000.00	₹ 69,930.00	--
8.	श्री ए० विद्याम्बरम, 30, कोरल मर्चेन्ट स्ट्रीट, मद्रास-1	5(1)(कक) 5(1)(ग)	₹ 10,000.00	--	--
9.	श्रीमती ई० पावर्ति बाई, ग्र० विहार, XX/12, अथवायल पो० त्रिचूर-3, केरल,	5(1)(कक)	₹ 11,000.00	--	--
10.	मैसर्स-- सी० दुसेन जाहिब पृष्ठ क० प्रा० वि०, 16, मण्डी स्ट्रीट, मद्रास-1	12(2)	₹ 15,000.00	--	--
11.	श्री छार० क० अच्युत कपूर, पट्टनर-- बूडलैन्डस ट्रिम्बर, 40, न्यू फार्म्स रोड, मद्रास-12	5(1)(कक) 5(1)(ग)	₹ 20,000.00	--	--
12.	श्री एस० गोपाल, 5/22, मनिदावन स्ट्रीट, मुण्डकापूरी ग्राम, नमकल सालुका, जिला सलेम	5(1)(कक)	₹ 2,600.00	₹ 25,000.00	--
13.	श्री के० गोपालन, कुम्हुलम हाउस, मध्यमय पोस्ट, केरल राज्य	5(1)(क) 5(1)(कक) 5(1)(ग)	₹ 14,000.00	--	--
14.	श्री हाजी ए० ए० भवूर बस्ता, मलयूर, इलायानगुडी, जिला रामनगर	5(1)(कक)	₹ 1,000.00	₹ 10,000.00	--
15.	श्री के० ए० यूसुफ, वैस्ट स्ट्रीट, टी० मझूर, मुडु कलायूर हालुका, जिला-रामनगर, समिलनाडु	5(1)(कक)	₹ 2,000.00	₹ 20,000.00	--
16.	श्री शिवरामकर प्रसाद, सुपुत्र--श्री देनी माथी प्रमाद, मैसर्स इन्डियन हैन्डिक्राफ्ट लेन, श्रीप्रसाद, वाराणसी (उ० प्र०)	4(1)	₹ 10,000.00	--	--

1	2	3	4	5	6
17.	मैसर्स—मंहम्मद यार खान, पी० 12(2) वी० मं० 43, भुगतानाव (उ०प्र०)		₹० 10,000.00	--	--
18.	(i) मैसर्स काफलेंड हन्ड्या, 1687, आर्य समाज रोड, करोल बाग, नई दिल्ली, और (ii) श्री कुलदीप सिंह सूद, प्रोप्रोपटर } 12(2)		₹० 10,000.00	--	--
19.	श्री ललू भाई कासमजी पटेल, 4(1) पी० खोज पारदी, व्हाया—बारदोली, जिला—सूरक्ष (गुजरात)		₹० 15,000.00	--	पौण्ड 151-59
20.	श्री भासा भाई एम० पटेल, प्रानन्द चोक, धरभज, जिला—कैरा 9	4(1)	₹० 13,000.00	--	--
21.	श्री रमण भाई एम० पटेल, न्यू हाउस, करमसङ्क, जिला—कैरा (गुजरात)	4(1)	₹० 15,000.00	--	--
22.	श्री कीर्ति गंज० दोषो उर्फ कीर्ति कुमार, 15, अमरनाला लेन, प्रथम तल, कलकत्ता	5(1)(ग)	₹० 30,000.00	--	--
23.	(i) मैसर्स एम्पायर एक्सपोर्टिंग हाउस, संभव बैम्बर्स, 5वां तल, सर पी० एम० रोड, बम्बई (ii) श्री प्रकाश आर० पारिख, 7वां स्वाधीन सदन, 'सी' रोड, बम्बई (iii) श्री अम्बालाल एम० पारिख, सुखानगर गृह, सरविंदलसदास एवं न्यू सांताशुज, बम्बई (iv) श्री कान्तिलाल एम० सोनी, तपोवन कोपापरेटिव हाउसिंग सोसाइटी लिमिटेड, थीन स्ट्रीट, बम्बई-54	4(1) 9, 5(1)(ग), 5(1)(घ), 5(1)(घ)	₹० 10,200.00	--	--
24.	(i) श्री वी० एम० व्यास, प्लाट नं० 6, 'मतू कूर' कामरे कालेज के सामग्रे, भावनगर (ii) श्रीमती व्यास	9	₹० 20,120.00	--	पौण्ड 16431.14 पिलिंग 176.70
25.	श्री वी०पी० पटेल, 187, प्रिसेस स्ट्रीट, बम्बई-100002	5(1)(क)	₹० 2,000.00	--	--
		9	₹० 3,000.00	--	--
26.	मिस फेनी एम० बरीआवा, 71ब, एम्बैसी प्रपार्टमेंट्स, मेयियन सी रोड, बम्बई	5(1)(ग), 5(1)(ग) 4(1), 4(2), 5(1)(ग) 9, 5(1)(क) 4(1), 9, 9(1)(घ) 8(1), 14, 5(1)(ग) 4(1), 4(2), 5(1)(क) 4(1), 9	₹० 98,600.00	360 स्विस फँक 102 प्रमरीकी शालर पौण्ड 15-10-0 और लेबलानी लिवरल 3/-	--

1	2	3	4	5	6
27.	श्री उमाराम बुलचान्द, फ्लैट नं० 6, पामकोई, क्षेत्र सोनेरा, बम्बई	5(1) (कक)	₹० 3,000.00	₹० 22,485.00	—
28.	श्रीमती मारिया उष्टोनिया, झी०ए० सिलवा, पस्ती—श्री अन्तोनिया जै०झी० सिलवा, डो०गुल घास्कानिथे शा कोस्टा रोड, मारगाव गोवा	5(1) (कक)	₹० 30,000.00	—	—
29. (i)	श्री जेम्स शर्मन उर्फ़—गैरी रैडिनाल हालीडे उर्फ़ कीथ शर्मन बी-५, सी बीच प्रपार्टमेंट बम्बई-५४ द्वारा—यामस बुक एण्ड सेस्ट, झी०ए० चोड, बम्बई	8(1)	₹० 30,000.00	आम्बेडियाई डालर 20,000	—
	(ii) कुमारी कारोल केन्ने द्वारा—श्री जेम्स शर्मन उर्फ़—गैरी रैडिनाल हालीडे उर्फ़ कीथ शर्मन बी-५, सी बीच प्रपार्टमेंट बम्बई-५४	8(1)	₹० 10,000.00	—	—
30.	श्री एवं श्रीमती गुलाब गमचन्द, समनानी, प्राविद सर्कल, हैदराबाद-१	9 10(1) 9	₹० 11,000.00	अमेरिकी डालर 360 के ट्रेसर ऐक	—
31.	श्री बनवन एम० शेठ, १८, भावेश्वर शिखर, सं० २, आर०झी० महता रोड, प्राटकोपर, बम्बई-७२	5(1) (कक)	₹० 20,00.000	—	—
32.	श्री अशीत मिह गोकुलदाम, द्वारा—मैसर्सै मूलजी गोकुलदाम, बम्बई-२०	4(1), 4(1), 4(1) और 4(2)	₹० 32,000.00	—	—
33.	श्री अब्दुल्ला अब्दुल रहमान, देग मोहम्मद विलिङ्गा, कमरा नं० ७५, न्यू जै०झ० हास्पिटल, बम्बई-८	9(1) (ष) 9(1) (ष)	₹० 12,300.00	₹० 9,700.00	—
34.	श्री एह०झी० मार्टिस, निदेशक उल्लू०झ० काक्स एण्ड क०, (रिकवरीज) प्रा०वि०, जाली भवन, ५थां तल स्टू मीरीत लाइन्स, बम्बई-२०	4(1) 4(1) 4(1)	₹० 25,000.00	—	—
35. (i)	श्री नरविन्दर मिह ए० कीर प्रोप्रायटर—मैसर्सै गिरी एम्पोरियम, ४(१) ६१-ए०, कारबार स्ट्रीट, बम्बई-१	4(1) 4(2)	₹० 10,000.00	—	—

1	2	3	4	5	6
	(ii) मैसर्स गिरी एम्पोरियम, 61ए, कारखार स्ट्रीट, बंगलौर-1				
36.	श्री वृजलाल बहनजी, शंकर निवास, पर्वीट नं० 9, न्यू नागरवास रोड, अन्धेरी (पूर्व) बंगलौर-69	5(1)(ग)	₹० 10,000.00	—	—
37.	श्री माधुरगम, 134/1, महात्मा गांधी रोड, कलकत्ता-1	5(1)(क)	₹० 4,000.00	₹० 40,000.00	—
38.	श्रीमती रोजा बर्नोट्टा, त्रिपुरियन ब्यांडेस, बेतिया, बन्धारन विहार)	5(1)(कक)	₹० 20,000.00	—	—
39.	श्री मोतोयासी टनाका और श्रीमती टनाको टनाका, दोनों जापानी राष्ट्रिक, जो निटन होटल के कमरा नं० 10, 14, मडर स्ट्रीट, कलकत्ता में ठहरे थे	1973का 8(1) एवं 8(2)	₹० 10,000.00	1,353 प्रमाणीकी डाक्टर और ₹ 10,000.00 की (आरक्षीय भुगतान)	—
40.	मैसर्स आर०एस० जवेहरी एण्ड कं सोंबाया चेम्बर्स, प्रथम तला, 20, सर पी०एम० रोड, बंगलौर	भारा 9	₹० 14,000.00	—	—
41.	श्री हर्ष लाल गुलाटी, जै०-3/69, राजौरी गाँड़न, नई विलासी	5(1)(कक)	₹० 10,000.00	—	—
42.	श्री सुरजीत मिह उपल, सुपूत्र—श्री के० एस० उपल, द्वारा—स्टेशन मास्टर, उत्तर रेलवे, मेरठ	8(1) और 14	₹० 12,250.00	₹० 20,000.00	—
43.	श्री के० एस० कश्यपन, 23, बाबा गनेश रोड, मद्रास-18	5(1)(कक)	₹० 6,000.00	₹० 10,000.00	—
44.	श्रीमती के० मुण्णामल, झलाक नं० 49, 429-चौ०, है०३, सिंगापुर-3	5(1)(कक)	₹० 1,000.00	₹० 13,000.00	—
45.	श्रीमती जे०बी० भोरेस, 22/656, अधिमंगलम, कार्बेट रोड, त्रिवेदीम	5(1)(कक) 5(1)(क)	₹० 8,000.00 ₹० 2,000.00	₹० 10,000.00	—
46.	श्री जी० स्वामीनाथन, पिल्लवीलखम, पो० कपिल, इशावा, त्रिवेदीम	5(1)(कक)	₹० 1,000.00	₹० 35,975.00	—
47.	श्री पी० कायिरसेन, पो० थोस्वलूर ग्राम, गामनद तालुका और जिला, तमिलनाडु	9(1)(का) 9(1)(क)	₹० 2,000.00 ₹० 2,000.00	₹० 12,000.00	—
48.	श्रीमती मेरी फर्नार्डीज, 25, एन्डुर रोड, बंगलौर	5(1)(कक)	₹० 4,000.00 ₹० 12,000.00	—	—
49.	श्रीमती के० चेलम्मा, तेलियिल हाउस, करपुशा, कोट्टयम	5(1)(कक)	₹० 13,700.00	—	—

1	2	3	4	5	6
50.	रेवरेन्ड फां केनन, पी०आई० सेम्युअल बाबू, फेदरियार, कोहल स्ट्रीट, जार्ज टाउन, मद्रास-१	5(1)(कक)	₹० 1,000.00	₹० 26,600.00	—
51.	श्रीमती हर्षीबा गनी, 16, हाई रोड, अम्मपेट, तन्जौर जिला	5(1)(कक) 5(1)(ग)	₹० 13,000.0 ₹० 5,700.0 —	₹० 18,700.00	—
52.	शिव आर्थि सिंह, म०न० 305, सेक्टर 15-ए, अण्णीगढ़	4(1) घोर 9	₹० 11,000.00	—	—
53.	श्री के० नारायण, रेहडी 3/९, शतीव ऐन रोड, बंगलौर-३	5(1)(कक)	₹० 5,000.00	₹० 5,000.00	—
54.	श्री के० गोपी, सम्पवा एजेंट, 42, मोम्प रोड, फ्रेजर टाउन, बंगलौर	5(1)(ग) 5(1)(कक)	₹० 10,000.00	₹० 5,000.00	—
55.	श्री के० सेतुरमण, सुपुत्र—श्री मच्चपा पोना, पो० इन्यानगुडी रामनद जिला	5(1)-(कक) 5(1)(ग)	₹० 12,000.00	—	—
56.	श्री शोभप्रकाश, प्रो० मैसर सुधीर देवर्स, पोंडीचेरी या 12/26, ईस्ट पटेल नगर, नहै दिल्ली	4(1)	₹० 12,000.00	—	—
57.	श्री धी० सुन्दरमप्रय्यर, II-बी०टिसर्स हस्टेडम, सैकण्ड स्ट्रीट, कोडम्बकम्, मद्रास	5(1)(कक) 5(1)(ग)	₹० 15,000.00	—	—
58.	श्री टी० शाहुल हमीद, सुपुत्र—श्री याम्बी, विरागन विलाकम्, हाउस, प्रवास, केरल	5(1)(कक)	—	₹० 20,000.00	—
59.	श्री टी० ए० टामस, मेपुराम्बु हाउस, पो०, कोटेनद, क्षाया—यियोडिकल धिलप्पा, केरल	5(1)(कक)	₹० 20,000.00	—	—
60.	श्री एन० गोविंदम्, लक्ष्मी लिवास, कोना- इल वक्कम, कोडाकक्कूर, त्रिवेन्द्रम जिला	5(1)(कक) 5(1)(ग)	₹० 20,500.00	₹० 15,000.00	—
61.	श्री ए० एस० रंगास्वामी नायडू, सुपुत्र— श्री मुख्या नायडू, 74-बी० धिलमलाई- समीपुरा, डिन्डिगल, मदुरै जिला	5(1)(कक) 5(1)(ग)	₹० 4,000.00	₹० 48,900.00	—
62.	श्रीमती जयवीयादा गपूर, 19, अलेगजेण्डर स्ट्रीट, रिक्साइड टाउन, बंगलौर-२६	5(1)(कक) 9(1)(ब्र)	₹० 20,000.00	₹० 10,000.00	—
63.	श्री एम० मृद्द्वेष, स्क्यूबैल बैकर्स 42-बी, जय हिल्सपुरम्, सैकण्ड स्ट्रीट मुरै-II	5(1)(कक) 9(1)(ब्र)	₹० 6,500.00	₹० 10,000.00	—
64.	श्री पी० भीमा राव, द्वारा—एल० आर० भट, देसराहल्ली, बंगलौर-२	5(1)(कक)	₹० 1,000.00	₹० 23,000.00	—

[सं० दी०-19/1—को० आ०/81(1)]

ENFORCEMENT DIRECTORATE
(Foreign Exchange Regulation Act)

New Delhi, the 3rd February, 1981

F.E.R. ACT

S.O. 685.—In pursuance of the Foreign Exchange Regulation (Publication of Names) rules, 1975 made by the Central Government in exercise of the powers conferred by Section 79 of the Foreign Exchange Regulation Act, 1973 (46 of 1973) for the three months from 7-5-76 to 6-8-76 the Director of Enforcement hereby publishes below the names and other particulars of—

(A) persons who have been convicted by courts under section 56 of the Foreign Exchange Regulation Act, 1973 or convicted by courts for contravention of any of the provisions specified in sub-section (1) of the Section 23 of F.E.R. Act, 1947; and

- (B) persons who have been adjudged as liable to penalty by the adjudicating officers under Section 50 of the Foreign Exchange Regulation Act, 1973 or adjudged by the Director of Enforcement or any other officer of Enforcement authorised to exercise the powers and discharge the duties of the Director of Enforcement in this behalf, to have contravened any of the provisions specified in sub-section (1) of Section 23 of the F.E.R. Act, 1947, where
- the person had, on a previous occasion, been similarly adjudged or convicted; or
 - the penalty imposed together with the value of the Indian Currency or foreign exchange ordered to be confiscated, by the adjudicating officer is Rs. 10,000 or above.

A PERSONS CONVICTED, AS AT "A" ABOVE

S. No.	Name and address of the party	Provisions of the F.E.R.A. contravened	Particulars of sentence awarded	Particulars of confiscation ordered under section 23(1B) of the FERA 1947 by the Court.	Particulars of directions regarding bringing back into India of the Foreign Exchange
2	3	4	5	6	
1.	Mr. Moyatoshi Taraka, Japanese National, Occupying Room No. 10, 1973 read with Sec. 56 of Lytton Hotel, 14, Sudder Street, F.E.R. Act, 1973, Calcutta-16.	8(1)	On 31-7-76 he was sentenced to suffer imprisonment till the rising of the Court.	—	—

7-5-76 To 6-8-76

PERSONS ADJUDGED AS AT "B" ABOVE

S. No.	Name and address of the party	Provisions of F.E.R.A. contravened	Penalty in Rs.	Indian or/and Foreign Currency ordered to be confiscated	Amount of foreign exchange ordered to be repatriated
1	2	3	4	5	6
1.	Shri Tayabali Kurban Hussain Dudhwala, 53, Bhajipala Lane, Room No. 31 Bombay-3.	5(1)(c)	30,000	—	—
2.	Dr. Sankar Chaudhury, 26-A, Raman Road, London E.O.	4(1) & 4(2)	Interest accrued on the deposited amount of Rs. 10,000 lying in the bank.	Rs. 13,560	—
3.	Shri M.A. Latheef, K.P. House, P.O. Aytoor, Varkala, Kerala State.	5(1)(aa) 5(1)(c)	20,000	—	—
4.	Shri C.M. Gopalan Nambiar, 'Shelter', Post Office Road, Cannanore, Kerala State.	5(1)(aa) 5(1)(c)	40,000	—	—
5.	M/s. Amarshi Shamji & Co. Dhanwad, District Jamnagar.	5(1)(c) 5(1)(a) 5(1)(d)	17,260	—	—
6.	Shri P. Augustine, 35, Heerachand Road, Cox Town Bangalore-5.	5(1)(aa) 5(1)(c)	19,000	6,700	—
7.	(i) Shri A.M. Yousuff, (ii) Shri Abdul Kareem, Pondiyal House, Vettoor, Near Varkala, Trivandrum District, Kerala.	5(1)(aa)	5,000	69,930	—
8.	Shri M. Chidambaram, 30, Coral Merchant Street, Madras-1.	5(1)(aa) 5(1)(c)	10,000	—	—
9.	Smt. E. Parvathy Bai, Rudhra Vihar, XX/12, Ayyanthol P.O. Trichur-3 Kerala.	5(1)(aa)	11,000	—	—
10.	M/s. C. Hussain Sahib & Co. Pvt. Ltd., 16, Mandi Street, Madras-1.	12(2)	15,000	—	—
11.	Shri R.K. Abdul Kayoom, Partner, Woodland's Timber, 40, New Farms Road Madras-12.	5(1)(aa) 5(1)(c)	20,000	—	—
12.	Shri S. Gopal, 5/22, Meniavan Street, Muthukapatti Village, Namakkal Taluk, Salem District.	5(1)(aa)	2,600	25,000	—

1	2	3	4	5	6
13.	Shri K. Gopalan, Kukkulam House, Mayyanad Post, Kerala State.	5(1)(a) 5(1)(c) 5(1)(aa)	14,000	—	—
14.	Shri Haji M.S. Saboor Batcha, Salayoor, Illayangudi, Ramnad District.	5(1)(aa)	1,000	Rs. 10,000	—
15.	Shri K.M. Yousuff, West Street, T. Mayiyur, Mudu Kalathur Taluk, Ramnad District, Tamil Nadu.	5(1)(aa)	2,000	Rs. 20,000	—
16.	Shri Shiv Shankar Prasad, S/o Shri Beni Madho Prasad, M/s. Indian Handicraft Place, Audhrapal, Varanasi (U.P.)	4(1)	10,000	—	—
17.	M/s. Mohd. Yar Khan, P.B. No. 43, Moretababad (U.P.)	12(2)	10,000	—	—
18.	(i) M/s. Kraftland India, 1687, Arya Samaj Road, Karol Bagh, New Delhi & (ii) Shri Kuldip Singh Sood, Prop.	12(2)	10,000	—	—
19.	Shri Lallubhai Kasamji Patel at & P. O. Khoj Pardi Vla Bardoli, District Surat (Gujarat).	4(1) 9	15,000	—	£151-159
20.	Shri Ashabhai M. Patel, Anand Chowk, Dharmaj, District Kaira.	4(1) 9	13,000	—	—
21.	Shri Ramanbhai M. Patel, New House, Karamsad, District Kaira (Gujarat).	4(1)	15,000	—	—
22.	Shri Kirti H. Doshi @ Kirti Kumar, 15, Amratalla Lane, 1 Floor, Calcutta.	5(1)(c)	30,000	—	—
23.	(i) M/s. Empire Exporting House, Sambhava Chambers, 5th Floor, Sir, P.M. Road, Bombay (ii) Shri Pratap R. Parikh, 7th Swadhin Sadan, 'C' Road, Churchgate, Bombay (iii) Shri Ambalal M. Parikh, Sukhram Griha, Sir Vithaldas Avenue, Santa Cruz, Bombay. (iv) Shri Kantilal M. Soni, Tapovan Co-op Housing Society Limited Green Street, Bombay-54.	{ 4(1), 5(1)(b) 9, 5(1)(d) 5(1)(d)}	10,200	—	—
24.	(i) Shri V.M. Vyas, Plot No. 6, 'Matru Krupa' Opposite Commerce College, Bhavnagar. (ii) Smt. Vyas	9	20,120	—	£ 16431-14 Shs. 176-70
25.	Shri B.P. Patel, 187, Princess Street, Bombay-400002.	5(1)(aa) 9	2,000 3,000	—	—
26.	Miss Freni M. Variava, 71B, Embassy Apartments, Napean Sea Road, Bombay.	5(1)(c), 5(1)(c) 4(1), 4(2), 5(1)(c) 9, 5(1)(a) 4(1), 9, 9(1)(d) 8(1), 14, 5(1)(c) 4(1), 4(2), 5(1)(a) 4(1), 9	98,600	Sw. Fr.360/- U.S. \$. 102 £. 15-10-0 & Libanese Liverels. 3/-	—
27.	Shri Udharam Bulchand, Flat No.6, Palm Court, Queens Road, Bombay.	5(1)(aa)	3,000	Rs. 22,485/-	—
28.	Smt. Maria Uptonia, D.A. Silva, W/o Shri Antonia J.D. Silva, Donjul Ascanio Da Costa Road, Margao, Goa.	5(1)(aa)	30,000	—	—

1	2	3	4	5	6
29.	(i) Mr. James Sharman @ Garry 8(1) Radginal Halliday @ Keith Sharman, B-5, Sea Beach Apartment, Bombay-54. C/o Thomas Cook & Sons, D.N. Road, Bombay.		30,000	Aus \$ 20,000	—
	(ii) Miss Carol Genley C/o Mr. 8(1) James Sharman @ Garry Rodginal Halliday @ Keith Sharman, B-5, Sea Beach Apartment, Bombay-54.		10,000	—	—
30.	Shri & Smt. Gulab Ramchand 9 Samtani, Abid Circle, Hyderabad-1. 10(1) 9		11,000	T.C.S of U.S. \$ 360	—
31.	Shri Dhanwant M. Sheth, 18, Bhaveshwar Shikhar, No. 2, R. B. Mehta Road, Ghatkoper, Bombay-72.	5(1)(aa)	20,000/-	—	—
32.	Shri Ajit Singh Gokuldas, C/o M/s. Mulji Gokuldas, Bombay-20	4(1), 4(1), 4(1) & 4(2)	32,000	—	—
33.	Shri Abdulla Abdul Rehman, Beg Mohd. Building, R.No. 75, New J.J. Hospital, Bombay-8.	9(1)(d) 9(1)(d)	12,300	Rs. 9,700	—
34.	Shri F.V. Martis, Director, W.E. Cox & Co. (Recoveries) Pvt. Ltd., Jolly Bhawan, 5th Floor, New Marine Lines, Bombay-20.	4(1) 4(1) 4(1)	25,500	—	—
35.	(i) Shri Tarveinder Singh A. Keer, Prop. of M/s. Gigi Emporium, 61-A, Karwar Street, Bombay-1. (ii) M/s. Giri Emporium, 61-A, Karwar Street, Bombay-1.	4(1) 4(1) 4(2)	10,000	£.275	U.S. \$ 1,407-56
36.	Shri Vrajlal Vasanjee, Shankar Niwas Flat No. 9, New Nagardas Road, Andheri (East) Bombay-69.	5(1)(c)	10,000	—	—
37.	Shri Nathuram, 134/1, Mahatma Gandhi Road, Calcutta-1.	5(1)(a)	4,000	Rs. 40,000	—
38.	Mrs. Rosa Barnotal, Christian Quarters, Bettiah, Champaran, Bihar.	5(1)(aa)	20,000	—	—
39.	Mr. Motoyoshi Tanaka & Mrs. Tamako Tanaka, both Japanese Nationals, staying in Room No. 10, Lytton Hostel, 14, Sudder Street, Calcutta.	8(1) & 8(2) of 1973.	10,000	U.S. \$ 1,353 Rs. 10,000 (Indian Currency)	—
40.	M/s. R.S. Javeri & Co. Sombava Chambers, 1st Floor, 20, Sir P.M. Road, Bombay.	Sec. 9	14,000	—	—
41.	Shri Krishan Lal Gulati, JM3/69, Rajouri Garden, New Delhi.	5(1)(aa)	10,000	—	—
42.	Shri Surjit Singh Uppal, S/o Shri K.S. Uppal, C/o Station Master, Northern Railway, Meerut.	8(1) & 14	12,250	Rs. 20,000	—
43.	Shri K.N. Kannappan, 23, Bava Rowther Road, Madras-18.	5(1)(aa)	6,000	Rs. 10,000	—
44.	Smt. K. Suppamai, Block No. 47, 429-D, Hayfat, Singapore-3.	5(1)(aa)	1,000	Rs. 13,000	—
45.	Mrs. J. B. Moraes, 22/656, Rishimangalam, Convent Road, Trivandrum.	5(1)(aa) 5(1)(a)	8,000	Rs. 10,000	—
46.	Shri G. Swaminathan, Pillavilakham, Kappil P.O., Eddava, Trivandrum.	5(1)(aa)	1,000	Rs. 35,975	—

1	2	3	4	5	6
47.	Shri P. Kathirsen, Thoruvalur Village P.O., Ramnad Taluk & District, Tamil Nadu.	9(1)(b) 9(1)(a)	2,000 2,000 <hr/> 4,000	Rs. 12,000	—
48.	Mary Fernandez, 25, Andru Road, Bangalore.	5(1)(aa)	12,000	—	—
49.	Smt. K. Chellamma, Thelliyl House, Karapuzha, Kottayam.	5(1)(aa)	13,700	—	—
50.	Rev. Fr. Canon, P.I. Samuel Baboo, Fedariyar Koil Street, George Town, Madras-1.	5(1)(aa)	1,000	26,600	—
51.	Smt. Habeeba Gani, 16, Hlgh Road, Ayyampet, Tanjore District.	5(1)(aa) 5(1)(c)	13,000 5,700 <hr/> 18,700	—	—
52.	Shiv L. Singh, H.No. 305, Sector 15-A Chandigarh.	4(1) & 9	11,000	—	—
53.	Shri K. Narayan Reddy, 3/9, Cleve Lane Road, Bangalore-3.	5(1)(aa)	5,000	Rs. 5,000	—
54.	Shri K. Gopi, Estate Agent, 42, Mosque Road, Frazer Town, Banga- lore.	5(1)(c) 5(1)(aa)	10,000	Rs. 5,000	—
55.	Shri K. Sethuraman, S/o Shri Ma- chappa Pona, Il ayangudi P.O., Ram- nad District.	5(1)(aa) 5(1)(c)	12,000	—	—
56.	Shri Om Prakash Prop., M/s. Sudhir Traders, Pondicherry or 12/26, East Patel Nagar, New Delhi.	4(1)	12,000	—	—
57.	Shri V. Sundramayer, 11-B/Tailor's Estates, 2nd St., Codambakam, Madras.	5(1)(aa) 5(1)(c)	15,000	—	—
58.	Shri T. Shahul Hameed, S/o Thambi, Chiragan Vilakam House, Edwa, Kerala.	5(1)(aa)	—	Rs. 20,000	—
59.	Mr. T.A. Thomas, Mepurabbi House, Kotened P.O., Via, Theodical Thiru- valla, Kerala.	5(1)(aa)	20,000	—	—
60.	Shri N. Govindan, Lakshmi Niwas, Koonayil Vakkam Koda, Kavoor, Trivandrum District.	5(1)(aa) 5(1)(c)	20,500	Rs. 15,000	—
61.	Shri A.S. Rangasamy Naidu, S/o Shri Subba Naidu, 74-B, Thirumalai- samipura, Dindigul, Madurai Distt.	5(1)(aa) 5(1)(c)	4,000	Rs. 49,900	—
62.	Mrs. Zabaida Gafur, 19, Alexandra Street, Richmond Town, Bangalore-26.	5(1)(aa) 9(1)(b)	20,000	Rs. 10,000	—
63.	Shri S. Subbiah, Sakthavel Bankers, 42-B, Jaihindpuram, 2nd Street, Madurai-11.	5(1)(aa) 9(1)(b)	6,500	Rs. 10,000	—
64.	Shri P. Bhima Rao, C/o L.R. Bhat, Desarahalli, Bangalore-2.	5(1)(aa)	1,000	Rs. 23,000	—

का० आ० 686.—विवेशी मुद्रा विनियमन प्रधिनियम, 1973 (1973 का 46) की धारा 79 द्वारा दी गई शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा अताई गई विवेशी मुद्रा विनियमन (नाम प्रकाशन) नियमावली, 1975 में अनुसरण में प्रबंधन विवेशक इसके द्वारा विनांक 2 अन्वयन, 1976 से 6 नवम्बर, 1976 तक की तीन माह की अवधि के लिए निम्नलिखित व्यक्तियों के नाम और मन्त्र व्याप्रे प्रकाशित करते हैं:—

(क) वे व्यक्ति जिन्हें वि० मु० वि० प्रधिनियम, 1973 की धारा 56 के प्रधीन व्यायालयों द्वारा दोष-सिद्ध किया जा चुका है या वे व्यक्ति जिन्हें वि० मु० वि० प्रधिनियम, 1947 की धारा 23 की उपधारा (1) में निर्दिष्ट किसी उपबन्ध के उल्लंघन के लिए व्यायालयों द्वारा दोष-सिद्ध किया जा चुका है, और

(ख) वे व्यक्ति जिन्हें विवेशी मुद्रा विनियमन प्रधिनियम, 1973 की धारा 50 के प्रधीन व्याय-निर्णयन प्रधिकारियों द्वारा व्याय-निर्णय करके पेनल्टी के लिए वायी ठहराया है मध्यवा वे व्यक्ति जिसके विरुद्ध निवेशक, प्रवर्तन निवेशालय या इस बारे में निवेशक, प्रवर्तन निवेशालय की शक्तियों के प्रयोग और उनके कर्तव्यों के निर्वहन के लिए प्राधिकृत प्रवर्तन निवेशालय के किसी अन्य प्रधिकारी ने यह व्याय-निर्णय दिया है कि उन्होंने विवेशी मुद्रा विनियमन प्रधिनियम, 1947 की धारा 23 की उपधारा (1) में निर्दिष्ट किसी उपबन्ध का उल्लंघन किया है, जहाँ

(i) उस व्यक्ति के विरुद्ध किसी पिछले प्रवसर पर इसी प्रकार व्याय-निर्णय किया गया हो अथवा उसे दोष-सिद्ध किया जा चुका हो, या

(ii) व्याय-निर्णयन प्रधिकारी द्वारा लगाई पैनल्टी, उस भारतीय मुद्रा या विवेशी मुद्रा सहित जिसके जब्त करते के आदेश किए गए हैं, का मूल्य रु० 10,000.00 या उससे अधिक हो।

उपर्युक्त "क" के अनुसार बोचतित व्यक्ति

7-8-76 से 6-11-76 तक

क्रम सं०	पार्टी का नाम और पता	वि० मु० वि० प्रधिनियम के उपबन्ध, जिनका उल्लंघन हुआ	श्यायालय द्वारा वि० मु० वि० प्रधिनियम की धारा 23 (1-ख) के प्रधीन आदेशित जमीन के व्यौरे
1	2	3	4
1.	श्री हयूडुगड़ले, सी० पैलेस होटल, कमरा नं० 208, पी० ज० रामचन्द्रानी मार्ग, बम्बई-1	वि० मु० वि० प्रधिनियम 1973 की धारा 8(1) के साथ पढ़ी गई वि० मु० वि० प्रधिनियम, 1973 की धारा 56(1) के प्रधीन	श्यायालय द्वारा वि० मु० वि० प्रधिनियम की धारा 23 (1-ख) के प्रधीन आदेशित जमीन के व्यौरे

क्रम सं०	पार्टी का नाम और पता	वि० मु० वि० प्रधिनियम के पैनल्टी रप्ताओं में उपबन्ध, जिनका उल्लंघन हुआ	वि० मु० वि० प्रधिनियम 1947 की धारा 23- (1-ख) के प्रधीन आदेशित जमीन के व्यौरे
1	2	3	4
1.	मैसर्स—एम० अब्दुल अलीम और उनके पार्टनर, 5, कास लेन, कलकत्ता-11	रु० 5 लाख 4(1) 5(1)(क) 5(1)(घ)	रु० 5 लाख
2.	(i) मैसर्स—कलकत्ता बूट एजेंसी प्रा० लि०, 2 कलाइव रो, कलकत्ता	रु० 40,000.00 5(1)(क) 5(1)(ग) 10(1)(ख)	—
	(ii) श्री रमजान अली बिरानी, 2 कलाइव रो, कलकत्ता		—
	(iii) श्री युसुफ आर० मुछ्ता, 46, मोरलैण्ड रोड, बम्बई-8		—

उपर्युक्त "ख" के अनुसार व्याय-निर्णयत व्यक्ति

7-8-76 से 6-11-76 तक

क्रम सं०	पार्टी का नाम और पता	वि० मु० वि० प्रधिनियम के पैनल्टी रप्ताओं में उपबन्ध, जिनका उल्लंघन हुआ	वि० मु० वि० प्रधिनियम 1947 की धारा 23- (1-ख) के प्रधीन आदेशित जमीन के व्यौरे
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क्रम सं०	पार्टी का नाम और पता	वि० मु० वि० प्रधिनियम के पैनल्टी रप्ताओं में उपबन्ध, जिनका उल्लंघन हुआ	वि० मु० वि० प्रधिनियम 1947 की धारा 23- (1-ख) के प्रधीन आदेशित जमीन के व्यौरे
1	2	3	4
1.	मैसर्स—एम० अब्दुल अलीम और उनके पार्टनर, 5, कास लेन, कलकत्ता-11	रु० 5 लाख 4(1) 5(1)(क) 5(1)(घ)	—
2.	(i) मैसर्स—कलकत्ता बूट एजेंसी प्रा० लि०, 2 कलाइव रो, कलकत्ता	रु० 40,000.00 5(1)(क) 5(1)(ग) 10(1)(ख)	—
	(ii) श्री रमजान अली बिरानी, 2 कलाइव रो, कलकत्ता		—
	(iii) श्री युसुफ आर० मुछ्ता, 46, मोरलैण्ड रोड, बम्बई-8		—

1	2	3	4	5	6
3.	श्री एम० मोहम्मद हुसैन, एक्सपोर्ट्स एण्ड हम्पोर्ट्स, सेक्युल लाइन बीच, नागापट्टीनम्, ननजावूर जिला, तमिलनाडू	12(2)	₹० 10,000.00	—	—
4.	मैसर्स ज्योति ज्योतिसं और उनके पार्टनर, 233, बालकेश्वर रोड, बम्बई-6	12(2)	₹० 30,000.00	—	—
5.	मैसर्स गिरधारी लाल मुद्रर लाल एण्ड क० शीर उनके पार्टनर, 118-120 एस० क० मैनन स्ट्रीट, बम्बई-3	12(2)	₹० 20,000.00	—	—
6.	मैसर्स अशोक ज्योति सं और उनके पार्टनर 118—120, एस० क० मैनन स्ट्रीट, बम्बई-2	12(2)	₹० 40,000.00	—	—
7.	आ० शी० एस० मेट्युइ, शिवाजी नगर, बैलगाम मैसूर गज्ज	9	₹० 11,500 00	—	—
8.	मैसर्स विनय ट्रैडर्स, क० न० 4, हैंडिंग, स्लीटर रोड, बम्बई-400007	12(2)	₹० 10,000.00	—	—
9.	मैसर्स भेक्षन मैकेन्जी एण्ड क० (प्रा०)लि०, 16, स्टैन्ड रोड, कलकत्ता-1	5(1)(घ)	₹० 10,000.00	—	—
10.	श्री सूरेन्द्र जैन, 5 घरली, सी फेम, बम्बई-18	4(1) 5(1)(ग) 5(1)(क)	₹० 15,000.00	—	—
11.	श्रीमती प्रकाश कौर, पस्ती श्री प्रगत सिंह, आ० पो० महील, जिला—जालंधर	5(1)(कक) 5(1)(ग)	₹० 15,000.00	—	—
12.	श्री रोनाल्ड परेशिया, सोना विला, मरम्बर कैडी पाथिन, फैलानूर, केरल राज्य	1973 का 9(1)(घ) 9(1)(अ)	₹० 11,000.00	—	—
13.	श्री क० शी० अलीकोया, मैसर्स कामीर ऐस्टर्स, एजेंसिया फ्लैट न० 14, लिमरा तथा, पोरबन्दर बिल्डिंग, बम्बई-400010।	(i) 5(1)(ग) (ii) 4(1)	₹० 1000.00 ₹० 14,000.00	₹० 14,000.00	—
14.	श्रीमती जेसुबेन अमृतलाल, मिस्त्री, राफेट बैटरी कम्पाउण्ड, महावेश तभर, बिलीमोरा।	5(1)(कक) 5(1)(ग)	₹० 15,000.00	—	—
15.	श्रीमती जानकी एथ० चंद्रीरामानी, जवाहर अपार्टमेंट्स, फ्लैट न० 1, निचला तल बी, अग्रद्वाल कालानी, यूना।	5(1)(कक) 5(1)(कक)	₹० 10,000.00 ₹० 2,000.00	—	—
16.	(i) मैसर्स नियोटेक्स सिल्क मिल्स 118, 12(2) कंसारा घाल, कालबादेवी रोड, बम्बई-2 (ii) श्री रसीलेश्वाल हीरापाल शाह प्रो० मैसर्स नियोटेक्स मिल्स	— 12(2)	— ₹० 70,000.00	—	—
17.	श्री गिरीश चन्द्र पुरी, मैसर्स शिल्पा सिल्क मिल्स, साकी माका, बम्बई-70	5(1)(इ) 4(1) और 9] 5(1)(क)	₹० 1,00,000.00	—	—
18.	श्री ग्रीत जगद्दी, दारा—प्रा० शी० जगद्दी भारतीय भवन, 6ठा तल, बम्बई-20	9, 5(1)(क) 5(1)(ग) 4(1)]	₹० 26,000.00	—	—
19.	श्री अब्दालभाई एच० दमनवाला, फारिमा भेजिल, साथू मिहिंदी मूसाफिर खाना रोड बम्बई-1	5(1)(ग) 5(1)(कक) 4(1) 5(1)(क)	₹० 12,000.00 — — —	₹० 15,900.00 शिद्देशी मुद्रा 76 पौङ और महगमलियर कोक, 8000	—

1	2	3	4	5	6
20.	मैसर्स कम्पनी इंटरनेशनल, स्कार्फ, रोड, 284, फैर रोड, बम्बई-1	12(2)	₹ 20,000 00	--	--
21.	श्री श्री० पटेल, उरा नस, भगवती निवास, पेहळार रोड, बम्बई-36	4(1), 9एवं 5(1)(क)	₹ 10,000 00	--	--
22.	रेवरेण्ड प्र० स० कन्हीज, प्रिमिपल, प१००५००८० सूल, नागपुर	5(1)(कक)	₹ 25,000 00	--	--
23.	श्री मैथ्य० एच० मालिम, 23, सौ मिस्ट व्हू, पाली हिल रोड, वांद्रा, बम्बई-50	5(1)(कक) 5(1)(ग)	₹ 10,000 00	--	--
24.	श्री फासिमको सेरेजा, मिस्टीजाब्डी कस्टोरिम, साप्लेट, गोवा	9(1)(घ)	₹ 3,700,00	₹ 25,271 00	--
25.	श्री किशनी जी० हरजानी, 796/3, हरमणी विन्डिंग, भवानी पेठ, पूना	5(1)(कक) 5(1)(इ) 5(1)(घ)	₹ 32,500,00	₹ 3,000 00	--
26.	श्रीमती जोना पी० एफ० वेगाम, मेकुर०रम, चिमचिमिम, मालसेट, गोवा	5(1)(कक) 9(1)(घ)	₹ 22,900 00	--	--
27.	श्री के०सी० घामस, क०न० 40, २३१ फ्लॉर, सीमेञ्च कल्प, बम्बई-38	8(1) और 8(2) 8(1)	₹ 5,000 00	₹ 8,000 के डॉ०शी० ज्ञानली लिस 1,000 3 घमरीकी डालर 150 श्रीक इंगमास एवं 2 आस्ट्रेलियाई डालर	--
28.	मोहम्मद हुसैन साइटवाला प्रायोडियली बैम्बर्स, 4था मरा, लैमिटेड रोड, बम्बई-7	5(1)(क) और 9	₹ 16,100 00	--	--
29.	श्री हरजी दो० कराई, द्वारा—श्री०पी० कराई, रामपुर बेकरा जिला भूज	4(1), 5(1)(कक) 5(1)(ग)	₹ 31,100 00	--	पौर्ण 12
30.	श्री सी०डी० पटेल, 27, करणा कोआपरेटिव हा० डिमिंग सोसाइटी, नस्ता बद्रा, अहमदाबाद-13	9,4(1), 4(1) 4(1) और 9	₹ 10,000 00	--	--
31.	श्री रमेश रावजी भाई पटेल, द्वारा—श्री जयरत्नी भाई शाई० पटेल, सुपर सर्किम स्टेशन, 7४-७९, जगभाई पार्क, अहमदाबाद	9, 4(1), 4(1), 5(1)(इ)(i)	₹ 28,500 00	--	--

1	2	3	4	5	6
32.	मैसर्स नीलांड्रेझर्म, प्रबोण होउस 10, फस्ट पठान स्ट्रीट, बम्बई-4	12(2)	₹ 30,000.00	--	--
33.	मैसर्स वान रीज एनोवी०, 11, आरएग० मुंबई रोड, कलकत्ता	12(2) 18 कप्रौर विंमू०विं० अब्बिनियम, 1947 का 5(1)(क)	₹ 75,000.00	--	--
34.	मैसर्स होर मिलर एण्ड क० लि०, 5, फेबली प्लेस, कलकत्ता	12(2)	₹ 10,000.00	--	--
35.	मैसर्स बाबल चन्द्र डे, द्वारा मैसर्स डे एण्ड क०, 67, काली प्रसाद बेनजी लेन, हावड़ा	5(1)(क)	₹ 12,000.00	--	--
36.	श्री पी० घोष, 121-बी०, सीताराम घोष स्ट्रीट, कलकत्ता	8(1)	₹ 10,000.00	--	--
37.	मैसर्स इण्डियन फायर ब्राम शॉट्स इण्डस्ट्रीज, निरसाल, नया कुमार भुराणाबाद (उ०प्र०) और उनके पार्टनर	1973 के 10(1) 16(1) 18(2)	₹ 15,000.00	--	--
38.	मैसर्स हिरचरण सिंह, साहनी एण्ड ब्रडसे० 14,000 तिलक बाजार और उनके पार्टनर (i) श्री जगजीत सिंह (ii) श्री प्रीतम भिंह (iii) श्री सुरिन्दर सिंह (iv) श्री हरचरण सिंह	12(2) (i) 5(1) कम (ii) 5(1) ग (iii) 5(1) कक (iv) 5(1) ग	(i) ₹ 4,000.00 कम पर (ii) ₹ 12,000.00 जारी पार्टनरों पर (प्रत्येक पर ₹ 3,000)	--	--
39.	श्री ए०प्रा० रामास्वामी, सुपुत्र अरण्याचलम बेट्टियार, विज्ञा अन्डार कोइल स्ट्रीट, कल्प, ब्रिटिश जिला	23 वा० के साथ पढ़ी गई ² 5(1) कक 5(1) ग 5(1) कक	₹ 30,250.00	₹ 2,970.00	--
40.	श्री ए० जनार्दन पौडी, ए०-४८, १०बी० एच०न्य०, प्रशोक नगर, मद्रास	धारा 14	₹ 10,000.00	--	--
41.	श्री ए०प्रा० हाजामोहिनूदीम, 3/३८, बेट स्ट्रीट, पनाईकुलम, रामनद जिला	5(1) (कक) 5(1) (ग) 9(1) (घ)	₹ 70,000.00	--	--
42.	श्री टी०क०० बैतायुधन, विष्णु मुर कारेज के पास, कल्मेल, केरल	5(1) (कक)	₹ 15,000.00	--	--
43.	श्री के०ए० रमण, कंबर नगर, मद्रास-३४	9 5(1) (कक)	₹ 20,150.00	--	--
44.	श्री ए० कुपुस्वामी, सुपुत्र समयर सन्८, कल्याणसोवी प्राम, पुदुकोट्टाई तालुक, तन्जौर जिला	5(1) (कक)	₹ 30,000.00	--	--
45.	श्री ए०प्रा० अनन्त रहीम, सुपुत्र नू० मोहम्मद राजेवर, हाजा स्ट्रीट, कोल्लापुरम, तन्जौर जिला	5(1) (कक) 5(1) (ग)	₹ 80,000.00	₹ 28,131.00	--

1	2	3	4	5	6
46.	श्री वी० बुराईराज, ७१, कमलीआमन कोल स्ट्रीट, बुद्धालोक-३	९(१)(ख) ९(१)(ग)	₹० 25,000.00	—	—
47.	श्री वी० गण० शिवरत्नगम चेट्टियार, पुलनकुरीधी, रामनव	धारा ९	₹० 10,000.00	—	—
48.	श्री एस०वी० चेट्टियप्पा चेट्टियार पुलनकुरीधी, तिळपटु, रामनव जिला	धारा ९	₹० 10,000.00	—	—
49.	फावर जोधामा, सी०ए०आ०आई०, प्राप० जनरल हाउस, एन्ट्रेक्यूम, कोलीन-११	५(१)(कक) ४(१)	₹० 11,000.00	एक०ही०भार० ₹० 15,000.00	—
50.	श्रीमती के०के० लक्ष्मी आमा, सरोज भवन, चौड़ीकोटा रोड, माही	५(१)(कक)	₹० 28,000.00	—	—
51.	श्री वी०भार० नंदीभग्नम, भक्तउट्टेंट, मैमसं पी०के०आ०, एप्ल कं०, विश्वनाथपुरम, रामचन्द्रपुरम्	५(१)(कक)	₹० 28,000.00	—	—
52.	श्री पी०आ०र० भग्नामलाई, यिल्लाई नगर, त्रिष्णी	५(१)(कक)	₹० 10,000.00	—	—
53.	श्री एम०पी० मोहुद्दुहाजी, बड़गारा, केरल राज्य	५(१)(कक) ५(१)(ग)	₹० 17,000.00 ₹० 7,500.00 के	२ घुण्ड ₹० 15,000.00 और	—
54.	श्री एस० सैयद मोहम्मद, यरकुथररायिस ग्राम, बैलीपत्तनम्, रामनव	५(१)(कक) ५(१)(ग)	₹० 44,300.00 ₹० 34,000.00	—	—
55.	श्री एम० रत्ननम, मुमुक्षु भोसलान कीलाकरई, हरिजन कालोनी, पौ० कोमाची, चिराम्बरम्, तालुक	९(१)(ख)	₹० 10,000.00	—	—
56.	श्री गंगा सिंह, मुमुक्षु दसोन्ही, ग्राम ग्रामीपुर, जिला होणियारपुर	९(१)(ख) ९(१)(ख)	₹० 12,000.00 ₹० 500.00	—	—
57.	श्री सोहन सिंह, घर नं० ६/२३१, गली स० कट्टेर सिंह, तरन तारा, जिला अमृतसर	५(१)(कक) ५(१)(कक) ५(१)(ग) ५(१)(ग)	₹० 5,000.00 ₹० 30,000.00 ₹० 30,000.00 ₹० 5,000.00	₹० 28,600.00 — — ₹० 1,000.00	—
58.	श्री एस० जे० गजरिया, धर्म निवास, ३९३-एम० जी० रोड, खालीबली, बम्बई-६७	४(१) ४(२)	₹० 20,000.00	१४ दोनार 138 रियाल ९१५ पीढ 2,738 अमरीकी डालर	—
59.	श्री हुपाल सिंह, सुपुत्र श्री गुरुबक्षम सिंह, ग्राम ग्राम पो० चक्रामण, जिला जालंधर	५(१)(ग) ५(१)(कक)	₹० 4,00,000.00	₹० 1,64,900.00	—
60.	श्री एम० जोन डेविड, 'निरीक्षण' पो० बा० नं० १२, चिलकलमपेट, 'गुरुद्वारा'—जिला, ग्राम प्रदेश	५(१)(कक)	₹० 25,000.00	—	—
61.	श्री जरनैल सिंह, सुपुत्र करतार सिंह, [ग्राम चक मेदर्स, जिला जालंधर]	९(१)(ख)	₹० 16,000.00	—	—

S.O. 686.—In pursuance of the Foreign Exchange Regulation (Publication of Names) Rules, 1975 made by the Central Government in exercise of the powers conferred by Section 79 of the Foreign Exchange Regulation Act, 1973 (46 of 1973) for the three months from 7-8-76 to 6-11-76 the Director of Enforcement hereby publishes below the names and other particulars of—

- (A) persons who have been convicted by courts under section 56 of the Foreign Exchange Regulation Act, 1973 or convicted by courts for contravention of any of the provisions specified in sub-section (1) of the Section 23 of F.E.R. Act, 1947; and
- (B) persons who have been adjudged as liable to penalty by the adjudicating officers under Section 50 of the Foreign Exchange Regulation Act, 1973 or adjudged by the Director of Enforcement or any other officer of Enforcement authorised to exercise the powers and discharge the duties of the Director of Enforcement in this behalf, to have contravened any of the provisions specified in sub-section (1) of the Section 23 of the F.E.R. Act, 1947, where
 - (i) the person had, on a previous occasion, been similarly adjudged or convicted; or
 - (ii) the penalty imposed together with the value of the Indian Currency or foreign exchange ordered to be confiscated, by the adjudicating officer is Rs.10,000 or above.

7-8-76 to 6-11-76

A. PERSONS CONVICTED, AS AT "A" ABOVE

S.No.	Name and address of the Party	Provisions of the F.E.R.A. contravened	Particulars of sentence awarded	Particulars of confiscation ordered under Section 23 (IB) of the FERA, 1947 by the Court	Particulars of directions regarding bringing back in to India of the Foreign Exchange
1	2	3	4	5	6
1.	Shri Hugh Dugdale, Sea Palace Hotel, Room No.208, P.J. Ramchandani Marg, Bombay-1.	U/s.56(1) of the F.E.R. Act, 1973 read with Sec. 8(1) of F.E.R. Act, 1973.	The accused pleaded guilty to the charge. He was found guilty and sentenced to six months' Rigorous Imprisonment.	—	—

7-5-76 to 6-8-76

B. PERSONS ADJUDGED AS AT "B" ABOVE

S.No.	Name and address of the Party	Provisions of the F.E.R.A. contravened	Penalty (in Rs.)	Particulars of confiscation ordered under section 23(IV) of the FERA, 1947	Particulars of directions regarding bringing back into India of the Foreign Exchange
1	2	3	4	5	6
1.	M/s. M. Abdul Alim, & its partners, 5, Cross Lane, Calcutta-11.	4(1) 5(1)(a) 5(1)(d)	5 Lakhs.	—	—
2.	(i) M/s. Calcutta Jute Agency (P) Ltd., 2, Clive Row, Calcutta.	5(1)(a) 5(1)(c) 10(1)(b)	40,000	—	—
	(ii) Shri Ramjan Ali Virani, 2, Clive Row, Calcutta.				
	(iii) Shri Yusuf R. Muchhada, 46, Morland Road, Bombay-8.				
3.	Shri M. Mohd. Hussain, Exporters & Importers, Second Line Beach, Nagapattinam, Thanjavur District, Tamil Nadu.	12(2)	10,000	—	—
4.	M/s. Jyoti Jewellers & its partners, 233, Walkeshwar Road, Bombay-6.	12(2)	30,000	—	—
5.	M/s. Girdharilal Sunderlal & Co. and its partners, 118-120, Sk. Menon Street, Bombay-2.	12(2)	20,000	—	—
6.	M/s. Ashok Jewellers & its partners, 118-120, Sk. Menon Street, Bombay-2.	12(2)	40,000	—	—
7.	Dr. V.S. Metgud, Shivaji Nagar, Belgaum, Mysore State.	9	11,500	—	—

1	2	3	4	5	6
8.	M/s. Vinay Traders, R.No. 4, E- Building, Sleator Road, Bombay-400007.	12(2)	10,000	—	—
9.	M/s. Mackinon Machenjee & Co. (P) Ltd., 16, Strand Road, Calcutta-1	5(1)(d)	10,000	—	—
10.	Shri Surendra Jain, 5, Worli, Sea Face, Bombay-18.	4(1) 5(1)(c) 5(1)(a)	15,000	—	—
11.	Smt. Prakash Kaur, W/o Shri Pragat Singh, V & P.O. Mahil, District Jullundur	5(1)(aa) 5(1)(c)	15,000	—	—
12.	Shri Ronald Pereira, Lona Villa, Marrakkar, Kandy Thayyil, Cannanore, Kerala State.	9(1)(b) of 9(1)(d) 1973.	11,000	—	—
13.	Shri K.P. Alikoya, M/s. Kashmir Chambers, Agencies, Flat No. 14, III Floor, Porbunder Building, Bombay-400010.	(i) 5(1)(c) (ii) 4(1)	1,000 10,000	Rs.14,000	—
14.	Smt. Jesuben Amritlal, Mistry, Rocket Battery Compound, Mahadeo Nagar, Billimora.	5(1)(aa) 5(1)(c)	15,000	—	—
15.	Smt. Janki H. Chandiramani, Jawahar Apartments, Flat No. 1, Ground Floor, B, Agarwal Colony, Poona.	5(1)(aa) 5(1)(aa)	10,000 2,000	—	—
16.	(i) M/s. Neotex Silk Mills, 118, Kansara Chawl, Kalbadevi Road, Bombay-2. (ii) Shri Rasilelal Hirachand Shah, Prop. of M/s. Neotex Mills.	12(2)	— 70,000	—	—
17.	Shri Girish Chand Puri, M/s. Shilpa Silk Mills, Sak i Maka, Bombay-70.	5(1)(e) 4(1) & 9 5(1)(a)	1,00,000	—	—
18.	Shri Ajit Zaveri, C/o R.G. Zaveri, Bhartiya Bhawan, 6th Floor, Bombay-20.	9, 5(1)(a) 5(1)(c) 4(1)	26,000	—	—
19.	Shri Abbasbai H. Damanwala, Fatima Manzil, Sabu Siddique Musafir Khana Road Bombay-1.	5(1)(c) 5(1)(aa) 4(1) 5(1)(a)	12,000	Rs.15,900/- F.C.£ 76 & Madgaslear Fr. 8,000	—
20.	M/s. Kamal International, Skylark, 284, Fere Road, Bombay-1.	12(2)	20,000	—	—
21.	Shri B.P. Patel, 3rd Floor, Bhagwati Niwas, Peddar Road, Bombay-36.	4(1), 9 & 5(1)(a)	10,000	—	—
22.	Rev. M.C. Fernandez, Principal of S.F.S. School, Nagpur.	5(1)(aa)	25,000	—	—
23.	Shri Mathew H. Marlis, 23, Sea Mist View, Pali Hill Road, Bandra, Bombay-50.	5(1)(aa) 5(1)(c)	10,000	—	—
24.	Shri Fransisco Tereza, Muxivaddo Custorim, Salcete, Goa.	9(1)(d)	3,700	Rs.25,271	—
25.	Shri Kishini G. Harjani, 796/3, Hamany Building, Bhawani Peth, Poona.	5(1)(aa), 5(1)(e) 5(1)(d)	32,500	Rs.3,000	—
26.	Smt. Joana P.F. Viegas, Securram, Chlmchimim, Salcete, Goa.	5(1)(aa) 9(1)(d)	22,900	—	—
27.	Shri K.C. Thomas, R.No 40, 2nd Floor, Seaman's Club, Bombay-38.	8(1) & 8(2) 8(1)	5,000	D.D. for Rs.8,000 Italian Lira 1,000 U.S. \$3 Greek Dragmas 150 & Australian \$ 2	—

[भाग II--सूचक 3(ii)]

प्रारन्त का राजपत्र : फारवरी 28, 1981/फाल्गुन 9, 1902

1	2	3	4	5	6
28.	Mohammed Hussain Lightwala, Aodcali Chambers, 4th Floor, Lamington Road, Bombay-7.	5(1)(a)& 9	16,00	—	—
29.	Shri Harjit V. Karai, C/o V.P. Karai, Rampur Vekra, District Bhuj.	4(1),5(1)(aa)5(1)(c)	31,100	—	£.12
30.	Shri C.D. Patel, 27, Karuna Co- operative, Housing Society, Nanda Vadaj, Ahmedabad-13.	9,4(1), 4(1) 4(1) & 9	10,000	—	—
31.	Shri Ramesh Raojibhai Patel, C/o Shri Jayantibhai I. Patel, Supar Service Station, 78-79, Jagabhai Park, Ahmedabad.	9,4(1), 4(1), 5(1)(c)(i)	28,500	—	—
32.	M/s. Neela Traders, Pravin House, 10, 1st Pathan Street, Bombay-4.	12(2)	30,000	—	—
33.	M/s. Van Rees N.V., 11, R.N. Mukherjee Road, Calcutta.	12(2)18A & 5(1)(a) of F.E. R. Act, 1947.	75,000	—	—
34.	M/s. Hoare Miller & Co., Ltd., 5, Faivlie Place, Calcutta.	12(2)	10,000	—	—
35.	M/s. Badal Chandra Dey, C/o M/s. De & Co., 67 Kaliprasad Bancrjee Lane Howrah.	5(1)(a)	12,000	—	—
36.	Shri P. Ghosh, 121B, Sitaram Ghosh Street. Calcutta-9	8(1)	10,000	—	—
37.	M/s. Indian Fire Brass Art Industries, Kirsal, Naya Kumar, Moradabad (U.P.) and its Partners.	10(1) 16(1) 18(2) of 1973	15,000	—	—
38.	M/s. Harcharan Singh Sawhney & Bros. 1400, Tilak Bazar & its Partners. (i) Shri Jagjit Singh (ii) Shri Pritam Singh (iii) Shri Surinder Singh (iv) Shri Harcharan Singh.	12(2)	(i) Rs. 4,000 on firm (ii) Rs 12,000 on four Partners (Rs. 3,000 each)	—	—
39.	Shri A.R. Ramaswamy S/o Arunachalam Chettiar, Chinna Andat Koil Street, Karur, Trichy District.	5(1)(aa) 5(1)(c) 5(1)(aa) read with 23B	30,250	Rs. 2,970	—
40.	Shri S. Janardan Poti, A-48, 10th Avenue, Ashok Nagar, Madras.	Sec. 14	10,000	—	—
41.	Shri S.O. Haja Mohinuddin, 3/58, West Street, Panaikulam, Ramnad District.	5(1)(aa) 5(1)(c) 9(1)(d)	70,000	—	—
42.	Shri T.K. Velayudhen, Near Bishop Moor College, Kallumale, Kerala,	5(1)(aa)	15,000	—	—
43.	Shri K.S. Ramar, Kambar Nagar, Madras-34.	9 5(1)(aa)	20,150	—	—
44.	Shri S. Kuppuswamy, S/o Samaiyar Sanur, Kalyansodi Village, Pudukkottai Taluk, Tanjore District.	5(1)(aa)	30,000	—	—

1	2	3	4	5	6
45.	Shri N. Abdul Rahim, S/o Noor Mohd. Rowther, Haja Street, Kollapuram, Tanjore District.	5(1)(aa) 5(1)(c)	80,000	Rs. 28,131	—
46.	Shri V. Durairaj, 91, Kamatchiamman Kole Street, Cuddalore-3.	9(1)(b) 9(1)(d)	25,000	—	—
47.	Shri V.S. Sivalingam Chettiar, Pulankurichi, Ramanad.	Sec. 9	10,000	—	—
48.	Shri S.V. Chettiappa, Chettiar, Pulankurichi, Tirupathur, Ramanad, District.	Sec. 9	10,000	—	—
49.	Fr. Joshua, C.M.I., Prior General House, Ernakulam, Cochin-11	5(1)(aa) 4(1)	Rs. 11,000	F.D.R. Rs. 15,000	—
50.	Shrimati K.K. Lakshmi Amma, Saroj Bhawan, Choodikotta Road, Mahe.	5(1)(aa)	28,000	—	—
51.	Shri V.R. Nachiappan, Accountant, M/s. P.K.N. & Co., Viswanathapuram, Ramchandrapuram.	5(1)(aa)	28,000	—	—
52.	Shri P. R. Annamalai, Thillai Nagar, Trichy.	5(1)(aa)	10,000	—	—
53.	Shri M.P. Moidu Haji, Badagara, Kerala State.	5(1)(aa) 5(1)(c)	17,000 34,000	2 drafts for Rs. 15,000 & Rs. 7,500	—
54.	Shri S. Sayed Mohamed, Tharkutharavil Village, Velipatnam, Ramanad.	5(1)(aa) 5(1)(c)	44,300 34,000	—	—
55.	Shri M. Rathinam, S/o Mottaiyan Keelakarai, Harijan Colony, Komarachi P.O., Chidambaram Taluk.	9(1)(b)	10,000	—	—
56.	Shri Ganga Singh, S/o Dasondhi, Village Alipur, District, Hoshiarpur.	9(1)(b) 9(1)(b)	12,000 500	—	—
57.	Shri Sohan Singh, H. No. 6/231, Gali S. Katter Singh, Taran Taran, District Amritsar.	5(1)(aa) 5(1)(aa) 5(1)(c) (5)(1)(c)	5,000 30,000 30,000 50,000	Rs. 28,600 — — Rs. 1,000	—
58.	Shri S.J. Gajria, Dharma Niwas, 393-M.G. Road, Khandivali, Bombay-67.	4(1) 4(2)	20,000	Dinars 14. Rials 138 £. 915 U.S.\$ 2,718	—
59.	Shri Kirpal Singh, S/o Shri Gurbux Singh, V & P.O. Chakramun, District Jullundur.	5(1)(c) 5(1)(aa)	4,00,000	Rs. 1,64,900	—

1	2	3	4	5	6
60.	Shri S. John David, 'Nireekahana', P.O. B. No. 12, Chilakalimpot, Guntur District, Andhra Pradesh.	5(1)(aa)	25,000	—	—
61.	Shri Jernail Singh S/o Kartar Singh, Vill-Chak Maidars, District Jullundur.	9/(1)(v)	16,000	—	—

[No. T. 19/1-Coord /81(2)]
M.S. BINDRA, Director

वाणिज्य मंत्रालय
नई दिल्ली, 6 फरवरी, 1981

क्र. आ. 687 :—समूल्दी उत्पाद नियाति विकास प्राधिकरण नियम 1972 के नियम 3 तथा 4 के साथ पठित समूल्दी उत्पाद नियाति विकास प्राधिकरण अधिनियम, 1972 (1972 का 13) की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री पी. डी. सेमानी, उप सचिव के स्थान पर श्री जी. बी. सुब्रमण्यम्, उप सचिव को एतद् द्वारा प्राधिकरण को सदस्य के रूप में नियूक्त करती है।

[फा. सं. एम-12/80-ई. पी. (एम. पी.)]
राजिन्द्र सिंह, अवर सचिव

MINISTRY OF COMMERCE

New Delhi, the 6th February, 1981

S.O. 687.—In exercise of the powers conferred by sub-section (3) of the Section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972) read with rules 3 and 4 of the Marine Products Export Development Authority Rules, 1972, the Central Government hereby appoints Shri G. V. Subramanyam, Deputy Secretary, vice Shri P. D. Khemani, Deputy Secretary as member of the Authority.

[File No. 1M-12/80-EP(MP)]
RAJINDER SINGH, Under Secy.

नई दिल्ली, 28 फरवरी, 1981

क्र. आ. 688 :—केन्द्रीय सरकार नियाति, (व्यानिटी नियन्त्रण और नियोजन) अधिनियम 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नियाति नियोजन परिषद् कर्मचारी अभिवादी भविष्य नियम, *1969, का संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

- (1) इन नियमों का संक्षिप्त नाम नियाति नियोजक परिषद् अभिवादी भविष्य नियम (संशोधन) नियम, 1981 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नियाति नियोजन परिषद् अभिवादी भविष्य नियम, 1969 में नियम 31 के पश्चात्, निम्नलिखित नियम जोड़ा जाएगा, अर्थात् :—

“31—निक्षेप सहवद्भ बीमा स्कीम” :—

किसी अभिवादा की मृत्यु पर, उस व्यक्ति को, जो अभिवादा के नाम जमा राशि को प्राप्त करने का हक्कदार है, कारबलिय प्रधान ऐसी अतिरिक्त रकम का जो अभिवादा की उस औसत रकम और उस पर व्याज

टिप्पणी : क्र. आ. म. 2113 दिनांक 24 मई, 1989

के, जो अभिवादा की मृत्यु के ठीक पूर्ववर्ती³ वर्ष के दौरान उसके लाते में जमा थी, दरबर हो, इन शतों के अधीन रहते हुए संदाय करेगा कि :

- (क) ऐसे अभिवादा के नाम जमा अभिवादा का अतिरिक्त वर्ष उसके ऊपर व्याज सहित अभिवादा की मृत्यु के मामे के पूर्ववर्ती तीन वर्ष के दौरान किमी भी समय निम्नलिखित सीमाओं से कम न हुआ हो :—
 - (1) 4,000 रु. उस अभिवादा की दशा में जिसने पूर्वोक्त तीन वर्ष की अवधि के बड़े भाग में ऐसा पद धारण किया हो, जिसका अधिकतम वेतनमान 1300 रु. या उससे अधिक हो ;
 - (2) 2500 रु. उस अभिवादा की दशा में, जिसने पूर्वोक्त तीन वर्ष की अवधि के बड़े भाग में ऐसा पद धारण किया हो, जिसका अधिकतम वेतनमान 900 रु. या उससे अधिक किन्तु 1300 रु. से कम हो ;
 - (3) 1500 रु. उस अभिवादा की दशा में, जिसने पूर्वोक्त अवधि के बड़े भाग में ऐसा पद धारण किया हो, जिसका वेतनमान 201 रु. या उससे अधिक किन्तु 900 रु. से कम हो ;
 - (4) 1000 रु. उस अभिवादा की दशा में, जिसने पूर्वोक्त तीन वर्ष की अवधि के दौरान बड़े भाग में ऐसा पद धारण किया हो, जिसका अधिकतम वेतनमान 291 रु. से कम हो ;
 - (ख) इस नियम के अधीन संदेय अतिरिक्त रकम 10,000 रु. से अधिक नहीं होगी ;
 - (ग) अभिवादा ने अपनी मृत्यु के पूर्व कम से कम 5 वर्ष सेवा की हो।

टिप्पणी.—1. औसत अतिशेष उस माम के, जिसमें मृत्यु होती है, पूर्ववर्ती³ प्रत्येक 36 मास के अंत में अभिवादा के नाम जमा अतिशेष के आधार पर निकाला जाएगा। इस प्रयोजन के लिए और नीचे विहित न्यूनतम अतिशेषों की जांच करने के लिए भी :—

- (क) मार्ष के अंत में अतिशेष में नियम 12 के अनुसार जमा अभिवादा पर व्याज सम्मिलित होगा।
- (ख) यदि पूर्वोक्त 36 मास का अतिमास मार्च नहीं है तो उक्त अतिमास के अंत में अतिशेष में उस

वित्तीर्थ वर्ष के, जिसमें मृत्यु होती है, आरम्भ से उक्त अंतिम मास के अंत तक की अवधि के सम्बन्ध में द्याज सम्मिलित होगा।

टिप्पणी : 2—इस स्कीम के अधीन संदेश सम्पूर्ण रूपयों में होने चाहिए। यदि किसी शोध रकम के अंतर्गत रूपां का कोई भाग है तो उसे निकटतम रूपां तक पूर्णान्वित कर दिया जाना चाहिए, (पचास पैसे को अगले उच्चतर रूपां के रूप में गिना जाना चाहिए)।

टिप्पण : 3—इस स्कीम के अधीन संदेश कोई राशि बीमा धन के प्रकार की है और इसलिए भविष्य निधि अधिनियम 1925 (1925 का 19) की धारा 3 द्वारा दिया गया कानूनी संरक्षण इस स्कीम के अधीन संदेश राशियों को लागू नहीं होता है।

टिप्पण : 4—(क) ऐसे किसी परिषद कर्मचारी की दशा में, जिसे नियम 4 के उपनियम (3) के अधीन निधि का फायदा दिया गया है किन्तु जिसकी मृत्यु निधि का उसे फायदा दिए जाने की तारीख से यथास्थिति तीन वर्ष की सेवा या पांच वर्ष की सेवा परीक्षण जाने के पूर्व हो जाती है, पूर्वतर नियोजक के अधीन उसकी संदेश की उस अवधि को जिसके संबंध में उसके अभिदायों की रकम और नियोजक के अभिदाय की रकम, यदि कोई हो, द्याज महिल प्राप्त की गई है, इस नियम के मुद्दे (क) और स्टण्ड (ग) के प्रयोजनों के लिए गिनी जाएगी।

(ख) अवधि के आधार पर नियक्त किए गए व्यक्तियों की दशा में और पुनर्नियोजित पैशान-भोगियों की दशा में यथास्थिति, ऐसी नियक्त या पुनर्नियोजित की हारीख से की गई सेवा की इस नियम के प्रयोजनों के लिए गिना जाएगा।

(ग) यह स्कीम संविदा के आधार पर नियक्त किए गये व्यक्तियों को लागू नहीं होती है।

[का. म. 3(56)/80-ई आई एण्ड ई पी]

New Delhi, the 28th February, 1981

S.O. 688.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export Inspection Council Employees Contributory Provident Fund Rules,* 1969, namely:

1. (1) These rules may be called the Export Inspection Council Contributory Provident Fund (Amendment) Rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export Inspection Council Contributory Provident Fund Rules, 1969, after Rule 31, the following rule shall be added, namely:

“31-A Deposit-linked Insurance Scheme.”;

On the death of a subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Head of Office, an additional amount equal to the average amount of Subscription and Interest thereon at the credit in the account during the 3 years immediately preceding the death of such subscriber, subject to the conditions that:

(a) the balance representing subscription with interest thereon at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of :

(i) Rs. 4000 in the case of subscriber who has held, for the greater part of the aforesaid period of

three years, a post the maximum of the pay scale of which is Rs. 1300 or more;

(ii) Rs. 2500 in the case of a subscriber who had held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 900 or more but less than Rs. 1300;

(iii) Rs. 1500 in the case of subscriber who has held, for the greater part of the aforesaid period of the pay scale of which is Rs. 291 or more but less than Rs. 900;

(iv) Rs. 1000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 291;

(b) the additional amount payable under this rule shall not exceed Rs. 10,000;

(c) the subscriber has put in at least five years service at the time of his death.

Note 1. The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months preceding the month in which the death occurs. For this purpose, as also for checking the minimum balances prescribed above:

(a) the balance at the end of March shall include the annual interest on subscription credited in terms of rule 12; and

(b) if the last of the aforesaid 36 months is not March, the balance at the end of the said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note 2. Payments under this scheme should be in whole rupees. If an amount due includes a fraction of a rupee, it should be rounded to the nearest rupee, (50 paise counting as the next higher rupee).

Note 3. Any sum payable under this scheme is in the nature of insurance money and, therefore, the statutory protection given by Section 3 of the Provident Fund Act, 1925 (19 of 1925) does not apply to sums payable under this scheme.

Note 4. (a) In case of a Council employee who has been admitted to the benefits of the Fund under sub-rule (3) of rule 4 but dies before completion of three years service or as the case may be, five years service from the date of his admission to the Fund, that period of his service under the previous employer in respect whereof the amount of his subscriptions and the employer's contribution, if any, together with interest have been received, shall count for purposes of clause (a) and clause (c) of this rule.

(b) In case of persons appointed on tenure basis and in the case of reemployed pensioners, service, rendered from the date of such appointment of re-employment, as the case may be, only will count for purposes of this rule.

(c) This scheme does not apply to persons appointed on contract basis.

[F. No. 3(56)/80-EL&FP]

का. आ. 689.—नियर्ति, (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नियर्ति निरीक्षण अभिकरण कर्मचारी अंशदायी भविष्य निधि नियम 1969, के संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम नियर्ति निरीक्षण अभिकरण अंशदायी भविष्य निधि (संशोधन) नियम, 1981 है।

* टिप्पणी : का. आ. सं. 2414 दिनांक 24 मई, 1989

(2) ये राजग्रह में प्रकाशन की तिथि से प्रवृत्त होंगे।

2. निर्दित निरीक्षण अभिकरण अंशदायी भविष्य नियम, 1969 में नियम 31 के पश्चात्, निम्नलिखित नियम जोड़े जाएंगे, अर्थात् :—

“31-ए जमा-संयुक्त बीमा योजना” :

अंशदाता की मृत्यु पर, उस व्यक्ति को जो अंशदाता के नाम जमा राशि को प्राप्त करने का हकदार है, उसको अधिकारी का प्रधान एक अतिरिक्त राशि जो उसके अंशदान की आस्तन राशि और उस पर व्याज जो कि उसकी मृत्यु के तूरन्त 3 वर्ष पूर्व उसके साते में जमा ही के बराबर इन शर्तों के अधीन दिया जाएगा :

(क) मृत्यु के मास से सीन वर्ष पूर्व का जो शेष अंश व्याज सहित अंशदाता के नाम पर होगा, वह निम्नलिखित बीमा से किसी समय भी कम नहीं होगा।

(1) 4,000 रुपये अंशदाता की ऐसी दशा जिसमें उपरोक्त तीन वर्ष की अवधि के बड़े भाग में वह पद संभाला है जिसका अधिकतम बेतनमान 1300/- रुपये या अधिक है;

(2) 2500/- रुपये उस अंशदाता की ऐसी दशा में जिसमें उपरोक्त तीन वर्ष की अवधि के बड़े भाग में वह पद संभाला है जिसका अधिकतम बेतनमान 900/- रुपये या अधिक है परन्तु 1300/- रुपये से कम है;

(3) 1500/- रुपये उस अंशदाता की ऐसी दशा में जिसने उपरोक्त तीन वर्ष की अवधि के बड़े भाग में वह पद संभाला है जिसका अधिकतम बेतनमान 291/- रुपये या अधिक परन्तु 900/- रुपये से कम है;

(4) 1000/- रुपये उस अंशदाता की ऐसी दशा में जिसमें उपरोक्त तीन वर्ष की अवधि के बड़े भाग में वह पद संभाला है जिसका अधिकतम बेतनमान 291/- रुपये से कम है;

(ल) इस नियम के अधीन अतिरिक्त देय राशि 10,000/- रुपये से अधिक नहीं होगी;

(ग) मृत्यु के समय अंशदाता की कम से कम पांच वर्ष की सेवा होगी।

टिप्पण-1 आसतन शेष, उस शेष राशि के आधार पर निकाला जाएगा जो कि अंशदाता के साते में उसकी मृत्यु के मास से पहले प्रत्येक 36 मास के अन्त में जमा होगी। इस कार्य के लिए साथ-साथ ऊपर दी गई न्यूनसम शेषों की जांच के लिए :

(क) नियम 12 के अन्तसार मार्फ के अन्त में शेष राशि में अंशदान पर वार्षिक व्याज भी जोड़ा जाएगा; और

(ल) यदि उपरोक्त 36 मास के अन्त का महीना मार्फ का नहीं है तो, उक्त आसिरी महीने के अन्त के शेष में व्याज वित्तीय वर्ष से जिसमें मृत्यु हुई है, के शास्त्र की अवधि से उक्त आसिरी महीने के अन्त तक जोड़ा जाएगा।

टिप्पण 2 इस योजना के अन्तर्गत भूगतान सम्बूर्ध रुपयों में होगा। यदि क्षेत्र राशि में एक रुपये का भाग सम्मिलित है तो वह पास के रुपये में ठीक सीमित होगा।

चाहिए। (50 पैसे की दूसरे उच्चतर रुपये में गिनती होगी)।

टिप्पण 3 इस योजना के अन्तर्गत कोई देय राशि बीमा किश्त की तरह है और, हस्तिए, भविष्य निरीध अधिनियम, 1925 (1925 का 19) की धारा 3 व्वारा में दी गई कानूनी संरक्षणा इस योजना के अन्तर्गत देय राशि पर लागू नहीं होगी।

टिप्पण 4 (क) अभिकरण कर्मचारी के मामले में जो नियम 4 के उपनियम 3 के अन्तर्गत निरीध की सुविधा का हकदार है पर तीन साल की नौकरी पूरी होने से पहले मर जाता है और ऐसी भी स्थिति हो, कोष में प्रवेश की तिथि से पांच साल की सेवा तक, उसकी नौकरी का पूर्व कर्मचारी के अधीन का वह समय जिसके लिए उसके जमा किए गये अंशदान सभा कर्मचारी अंशदान, यदि कोई है व्याज भवित प्राप्त हुआ है इस नियम के स्तरमें (क) और स्तरमें (ग) के प्रयोजन के लिए जोड़ा जाएगा।

(ल) यदि उस व्यक्ति की नियूक्ति कार्यकाल के आधार पर हुई है और पूनः नियूक्ति कर्मचारी के मामले में, तारीख से वी गई है सेवा, जैसी भी स्थिति हो, इस नियम के उद्देश्य के लिए केवल जोड़ी जाएगी।

(ग) अनबंध के आधार पर जिन व्यक्तियों की नियूक्ति हुई है उन पर यह योजना लागू नहीं होगी।

[फा. सं. 3(56)/80-ई आई एण्ड ही पी।
‘सी. वी. कुकरेती, भयंकर निदेशक

S.O. 689.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export Inspection Agency Employees Contributory Provident Fund Rules* 1969, namely :—

1. (1) These rules may be called the Export Inspection Agency Contribution Provident Fund (Amendment) Rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export Inspection Agency Contributory Provident Fund Rules, 1969, after Rule 31, the following rule shall be added, namely :—

“31-A Deposit-linked Insurance Scheme” :

On the death of a subscriber, the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Head of Office, an additional amount equal to the average amount of Subscription and Interest thereon at the credit in the account during the 3 years immediately preceding the death of such subscriber, subject to the conditions that :

(a) the balance representing subscription with interest thereon at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of :

(i) Rs. 4,000 in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 1300 or more;

(ii) Rs. 2500 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 900 or more but less than Rs. 1300;

(iii) Rs. 1500 in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs. 291 or more but less than Rs. 900;

*Footnote :—S.O. No. 1414, dt. 24-5-1969.

- (iv) Rs. 1,000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs. 291;
- (b) the additional amount payable under this rule shall not exceed Rs. 10,000;
- (c) the subscriber has put in at least five years service at the time of his death.

Note 1. The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months preceding the month in which the death occurs. For this purpose, as also for checking the minimum balances prescribed above:

- (a) the balance at the end of March shall include the annual interest on subscription credited in terms of rule 12; and
- (b) if the last of the aforesaid 36 months is not March, the balance at the end of the said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

Note 2. Payments under this scheme should be in whole rupees. If an amount due includes a fraction of a rupee, it should be rounded to the nearest rupee, (50 paise counting as the next higher rupee).

Note 3. Any sum payable under this scheme is in the nature of insurance money and, therefore, the statutory protection given by section 3 of the Provident Fund Act, 1925 (19 of 1925) does not apply to sums payable under this scheme.

Note 4. (a) In case of an Agency employee who has been admitted to the benefits of the Fund under sub-rule (3) of rule 4 but dies before completion of three years service or as the case may be, five years service from the date of his admission to the Fund, that period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been received shall count for purposes of clause (a) and clause (c) of this rule.

(b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment of re-employment, as the case may be, only will count for purposes of this rule.

(c) This scheme does not apply to persons appointed on contract basis.

[F. No. 3(36)/80-EI&EPI
C. B. KUKRETI, Jt. Director

(मुख्य नियन्त्रक, आयात-नियति का कार्यालय)

आवेदा

नई दिल्ली, 11 फरवरी, 1981

का० आ० 690.—सर्वेत्री एम एण्ड टी-मेकेनिल लिं, एन एण्ड टी हाऊस, बेलाई इलेट, बम्हर्स को विदेशी एकटी और आई सी आई सी भाई ज्ञान के अधीन रक्षण मंत्रालय का आयात करने के लिए 21,95,000/- रुपये का आयात लाइसेंस मंज्ञा पी/सी/जी/2068621/एम/आई सी/एम/19/प्र. 35-36 सीजी-3 विनांक 27-10-73 प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की मुद्रा विनियम नियन्त्रण प्रति की अनुलिपि प्रति के लिए इस आयात पर आवेदन किया है कि मूल मुद्रा विनियम नियन्त्रण प्रति यो गई है या अस्थानस्थ हो गई है। आगे यह सी बहु कहा गया है कि मुद्रा विनियम नियन्त्रण प्रति मद्रास के भीमा शुल्क प्राधिकारी के पास पंजीकृत करवाई गई थी और उसका पूर्ण हृष्ट से उपयोग सी चुका है।

अपने तर्क के समर्थन में लाइसेंसधारी ने मौटी पंजीकृत मद्रास के समर्थन विधिवत् शास्त्र सेकर एक पश्चात्ययन वालित किया है। तदनुसार

मैं संग्रह हूँ कि आयात लाइसेंस सं० पी/सी/जी/2068621 विनांक 27-10-73 की मूल मुद्रा विनियम नियन्त्रण प्रति फर्म द्वारा खो गई है या अस्थानस्थ हो गई है। यथा मंत्रालय आयात (नियन्त्रण) आदान, 1955 दिनांक 7-12-1955 की उप धारा 9 (सी सी) आयात प्रदान अधिकारी का प्रदोष करने हुए सर्वेत्री एम एण्ड टी-मेकेनिल लिमिटेड को जारी किए गए आयात लाइसेंस सं० पी/सी/जी/2068621 विनांक 27-10-1973 की मूल मुद्रा विनियम नियन्त्रण प्रति को एनदब्ल्यूआर रद्द करता हूँ।

उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियन्त्रण प्रति पार्टी को प्रेषण/पृष्ठांकन आदि के लिए प्रयोग से आगे आदि की जा रही है।

[सं० 8/18/73-74/पी/जी-3]

शंकर चंद, उप मुद्र्य नियन्त्रक

कृत मुद्र्य नियन्त्रक,

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 11th February, 1981

S.O. 690.—M/s. L&T-McNeil Limited, L&T House, Ballurdy Estate, Bombay were granted an import licence No. P/CG/2068621/S/IP/ACM/49/H/35-36-CG. III dated 27-10-1973 for Rs. 21,95,000/Rupees Twenty one lakhs ninety five thousand only) for import of Rubber Processing machinery under Foreign Equity and ICICI Loan. The firm has applied for issue of Duplicate copy of Exchange Control purposes copy of the above mentioned licence on the ground that the original Exchange Control copy of the licence has been lost or misplaced. It has further been stated that the Exchange Control purposes copy of the licence was registered with Madras Customs authority and has been fully utilised.

In support of their contention the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Madras. I am accordingly satisfied that the original Exchange Control purposes copy of import licence No. P/CG/2068621 dated 27-10-1973 has been lost or misplaced by the firm. In exercise of the powers conferred under sub clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Exchange Control purposes copy No. P/CG/2068621 dated 27-10-1973 issued to M/s. L&T McNeil Limited is hereby cancelled.

A duplicate Exchange Control purposes copy of the said licence is being issued to the party separately for remittance/endorsements etc.

[No. 8/18/73-74/CG. III]
SHANKAR CHAND, Dy. Chief Controller
for Chief Controller

संयुक्त मुद्र्य नियन्त्रक, आयात-नियति का कार्यालय

हैवराबाद, 15 मद्रास, 1980

लाइसेंस एवं करने का आवेदा

का० आ० 691.—सर्वेत्री साहबे पैरिस रोहने निं० श्रीदीगिक विकास क्षेत्र, लाइट नं० 5 अ० 6, पट्टनम्पेल-502319, जिला मेलक, आनंद प्रदेश को प्रत्रैल-भार्च 1979 भीति के अनुसार आयात नीति पुस्तक प्रत्रैल 1979-भार्च 1979 के परिविष्ट 5 में निर्दिष्ट कच्ची सामग्री, संघटकों और उपभोज्यों के आयात के लिए 4,11,666/-रु० लागत-बीमा-भाड़ा मुद्र्य के लिए एक आयात लाइसेंस सं० आई/डी/1433384/सी/एक्स प्रैक्ट/70/इब्ल्यू/78, विनांक 23-1-79 प्रदान किया था। पार्टी ने पूर्वोक्त आयात लाइसेंस की मुद्रा विनियम नियन्त्रण प्रति की अनुलिपि प्रदान करने के लिए इस आयात पर आवेदन किया है कि मूल मुद्रा विनियम नियन्त्रण प्रति उनसे खो गई/अस्थानस्थ हो गई है। पार्टी ने आयात आयात नियन्त्रण नियमों के अनुसार घोषित शपथपत्र प्रस्तुत किया है जिसके अनुसार आयात लाइसेंस की पूर्वोक्त मुद्रा विनियम नियन्त्रण प्रति साम्बोध खोलने के लिए किसी भी ढैंक में पंजीकृत नहीं कराई गई थी। पार्टी ने यह सी बहु बचन दिया है कि यदि मूल मुद्रा विनियम

नियंत्रण प्रति बाद में मिल गई या पा गई तो वह साइमें प्राधिकारी को लौटा शी जाएगी।

2. मैं संतुष्ट हूँ कि लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति गई/अस्थानस्थ हो गई है और निदेश देता हूँ कि इसकी प्रामुखिक प्रति भावेषक को जारी की जाए। लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति एन्ड बार ए की जाती है।

[ਮਿ. ਸੰ. ਆਈ ਟੀ ਸੀ/ਏ. ਮੂ/ਡੀ ਜੀ ਟੀ. ਬੀ-59/ਗ.੦ ਏਮ.੦-79/ਹੱਦ]

(Office of the Jt. Chief Controller of Imports & Exports)

Hyderabad, the 15th November, 1980

CANCELLATION ORDER

S.O. 691.—M/s. Sahney Paris Rhone Limited, Industrial Development Area, Plot No. 5 and 6, Pattancheru-502319, Medak District, Andhra Pradesh, were granted an import licence No. JJD|1433384|C|XX|70|W|78, dated 23-1-79 for a c.i.f. value of Rs 4,11,666 only for import of raw materials, components and consumables specified in appendix-5 of Import Policy Book for April 1978 March 1979 as per A.M. 79 Policy. The party has applied for grant of duplicate exchange control copy for the aforesaid import licence on the ground that the original exchange control copy of licence has been lost/misplaced by them. The party has furnished necessary affidavit as per ITC rules according to which the aforesaid exchange control copy of Import licence was not registered with any Bank for the purpose of opening letter of credit. The party has also undertaken to return to the licensing authority the original exchange control copy of licence if the same is traced or found later on.

2. I am satisfied that the original exchange control copy of licence has been lost/misplaced and direct that duplicate exchange control copy of licence should be issued to the applicant. The exchange control copy of the original licence is hereby cancelled.

[File No. ITC|AU|DGTD-59|A.M. 79|Hyd.]

हैदराबाद, 9 जनवरी, 1981

कांग ग्रा० 692—सर्वथी बायोलोजिकल ई० पि० 18/1
 और 3, प्राजनाशाद हैदराबाद-20 (आंध्र प्रदेश) को अप्रैल-मार्च 81
 नीति के अनुसार अप्रैल 1980 मार्च 1981 के लिए आयात भीति के
 परिशिष्ट 5 में विशिष्टिकृत करने माल और फालत्रू पुँजी का आयात
 करने के लिए 6,07,636/- रुपए लागत थीमा भाड़ा मूल्य के लिए एक
 आयात लाइसेंस सं. पी/डी/2219340/थी/एकम एस्म/76/एस्म/80
 दिनांक 25-7-1980 प्रदान किया गया था। पार्टी ने उपर्युक्त आयात
 लाइसेंस को अनुसिधि मुद्रा विनियम नियंत्रण प्रति प्रवान करने के लिए
 इस आधार पर आवेदन किया है कि लाइसेंस की मूल मुद्रा विनियम
 नियंत्रण प्रति उनसे खो गई/प्रश्नानस्थ हो गई है। पार्टी ने आयात
 व्यापार नियंत्रण नियमाबली के अनुसार आवश्यक सापेक्ष पत्र प्रस्तुत किया

है जिसके अनुसार आधात लाइंगेंस की उपयुक्त मुद्रा विनियम नियंत्रण प्रति का 96,100/- रुपए मूल्य के लिए साथ पत्र खालीने के जरिए उपयोग कर दिया गया था और अब योध 5,11,536/- रुपए मूल्य के लिए अनु-नियंत्रित मुद्रा विनियम नियंत्रण प्रति की आवश्यकता है। पार्टी ने वह भी दबत दिया है कि मूल मुद्रा विनियम नियंत्रण प्रति यदि बाद में मिल गई सो उसे लाइंगेंस प्राधिकारी को लौटा दिया जाएगा।

2. मैं संतुष्ट हूँ कि लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति खो गई/प्रस्तावनस्थ हो गई है और निर्देश देता हूँ कि लाइसेंस की अनुसिधि मुद्रा विनियम नियंत्रण प्रति आवेदक को जारी की जानी चाहिए। मूल लाइसेंस की मुद्रा विनियम नियंत्रण प्रति प्रत्यक्षप्राप्त रद्द की जाती है।

[મિસિસિલ મં. આઇટીસી/પણુ/42/ડો જી ટી ડી/એ એમ/૪૧/હેદરાબાદ]

एन० बी० प्रधान, उप-मुख्य नियंत्रक,
कृते संयुक्त मुख्य नियंत्रक,

Hyderabad, the 9th January, 1981

S.O. 692.—M/s. Biological E. Limited, 18/1 and 3, Azamabad, Hyderabad-20 A. P. were granted an import Licence No. PJD/2219340/C/XX/76/W/80, dated 25-7-80 for a C.I.F. Value of Rs. 6,07,636 for import of Raw-Materials and spares specified in Appendix-5 of Import Policy Book for April 1980-March 1981 as per A.M. 81 Policy. The party has applied for grant of duplicate exchange control copy for the aforesaid import licence on the ground that the original exchange control copy of the licence has been lost/misplaced by them. The party has furnished necessary affidavit as per ITC rules according to which the aforesaid exchange control copy of Import licence was utilised by way of opening L.C. for a value of Rs. 96,100 and the duplicate exchange control licence now required is for the balance value of Rs. 5,11,536. The party has also undertaken to return to the licensing authority the original exchange control copy of the licence if the same is traced or found later on.

2. I am satisfied that the original exchange control copy of licence has been lost/misplaced and direct that duplicate exchange control copy of licence should be issued to the applicant. The Exchange control copy of the original licence is hereby cancelled.

{File No. ITC|AU|42|DGTD|AM. 81|Hyd.}

N. B. PRADHAN, Dy. Chief Controller
for Jt. Chief Controller of Imports and Exports

नागरिक पति मंबालय

भारतीय भानक संस्था

ਮਈ ਦਿਲਦੀ, 10 ਫਰਵਰੀ, 198

का० ६९३.—समय समय पर संगोष्ठित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम १९५५ के विनियम १४ के उपविनियम (४) के मनुसार भारतीय मानक संस्था द्वारा प्रधिसूचित किया जाता है कि लाइसेंस संस्था सीएमएल-७५८५ जिसके ऊपर सीधे प्रबुद्धी में दिए गए हैं, फर्म की लाइसेंस और चालू रखने की सचिन होने के कारण १ अक्टूबर १९८० से रद्द कर दिया गया है:-

અમસારી

रह किए गए लाइसेंस के प्रधीन अस्तु। सत्सम्बन्धी भारतीय मानक प्रक्रिया

लाइसेंस रक्षणा और स्थिति	लाइसेंसधारी का नाम और पता	रह किए गए लाइसेंस के व्याप्रोन वस्तु/प्रक्रिया	सत्सम्बन्धी भारतीय मानक
1	2	3	4
१५म/एस-७५८५ १९७९-०२-२८	सर्कारी पार्म पुस्टफोर इंडस्ट्रीज, १४/४, सिविल सॉर्टिंग कानपुर-२०८००१ (उ०प्र०)	वस्तु के वस्ताने और निरंशुल वस्ताने टाइप १, २, और ३	IS : २५७३-१९७५ वस्तु के वस्तानों और निरंशुल वस्तानों की विशिष्टि (पहला पुनरीक्षण)

**MINISTRY OF CIVIL SUPPLIES
INDIAN STANDARD INSTITUTION**

New Delhi, the 10th February, 1981

S.O. 693.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-7585 particulars of which are given in the Schedule below has been cancelled with effect from 1 October 1980 as the firm is not interested in operating the licence:—

SCHEDULE

Licence No. and Date	Name & Address of the Licensee	Article/Process Covered by the Licence Cancelled	Relevant Indian Standards
(1)	(2)	(3)	(4)
CM/L-7585 1979-02-28	M/s. Pama Footcare Industries, 14/4 Civil Lines, Kanpur-208001 (U.P.)	Leather gauntlets and mittens, type I, II & III	IS : 2573—1975 Specification for leather gauntlets and mittens (first revision) [No. CMD/55: 7585]

का० आ० 694—समय पर संशोधित भारतीय संस्था (प्रमाणन चिह्न) विधियम 1955 के नियम 14 के उपविधियम (4) के अनुसार भारतीय मानक संस्था द्वारा प्रधिसूचित किया जाना है कि लाइसेंस संख्या सीएम/एल-8393 जिसके अंतर्गत नीचे अनुसूची में दिए गए हैं, फर्म की लाइसेंस को कानून खाली में रुक्षि न होने के कारण 1 अक्टूबर 1980 से रद्द कर दिया गया है:—

अनुसूची

लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के प्रधीन वस्तु/ तत्सम्बन्धी भारतीय मानक प्रक्रिया		
(1)	(2)	(3)	(4)
सीएम/एल-8393 1980-02-21	सर्वश्री काली ब्रांड स्टेनलेस स्टील मिश्रित धातु के तली बाले स्टेनलेस स्टील के बाला पकाने के बर्तन, मेलकावरी डाकघर, कुम्भकोणम-612002 (तमிலनாடு) इनका कार्यालय : कुम्भेश्वर सोनारी, कुम्भकोणम-621001 (तमिलनாடு) में है।	स्टेनलेस स्टील के बाला विद्युत निषेपित प्रैद : “भारी” और “हल्के”	IS : 4536 (भाग I)—1966 मिश्रित धातु के तली बाले स्टेनलेस स्टील के बाला पकाने के बर्तनों की विधिष्ठि भाग I ताँबा विद्युत निषेपित

[सं. सीएमडी/55 : 8393]

प० पी० बनर्जी, अपर महानिदेशक

S.O. 694.—In pursuance of sub regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-8393 particulars of which are given in the Schedule below has been cancelled with effect from 1 October 1980 as the firm is not interested in operating the licence:—

SCHEDULE

Licence No. and Date	Name & Address of the Licensee	Article/Process Covered by the Licence Cancelled	Relevant Indian Standards
(1)	(2)	(3)	(4)
CM/L-8393 1980-02-21	M/s. Kali Brand Stainless Steel Factory, 42/6 Madras Road, Melacauvery P.O., Kumbakonam-612002 (Tamil Nadu) having their office at Kumbeswarar Sannadhi, Kumbakonam-612001 (Tamil Nadu)	Composite bottom stainless steel cooking utensils, copper electro deposited Grade. 'Heavy' and 'Light'	IS : 4536 (Part I)—1968 Specification for composite bottom stainless steel cooking utensils Part I Copper electro deposited.

[No. CMD/55 : 8393]

A. P. BANERJI, Additional Director General

उद्योग मंत्रालय

(ओद्योगिक विकास विभाग)

आदेश

नई विली, 10 फरवरी, 1981

का० आ० 695:—प्राईडीआरए/6/79.—केन्द्रीय सरकार, विकास परिषद् (प्रक्रिया) नियम, 1952 के नियम 2, 4 और 5 के साथ पठित उद्योग (विकास और विनियम) अधिनियम, 1951 की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपने आदेश सं० का० आ० 1040/प्राईडीआरए/6/79, नामीच 1 मार्च, 1979 का संशोधन करती है, जिसे निम्नलिखित रूप में पढ़ा जाएगा :—

1. श्री एम० एम० शोप, सचिव, उद्योग मंत्रालय, ओद्योगिक विभाग, नई दिल्ली-110011, श्री एम० एम० मराठे के जो सेवा-नियम हो गए हैं, उनके स्थान पर, चमड़ा और चमड़ा माल उद्योग के लिए उद्योग परिषद् के रूप में कृत्य करेंगे।

2. श्री सी० वेंकटरमन, अपर सचिव, वाणिज्य मंत्रालय, नई दिल्ली-110011, श्री पी० कौल, अपर सचिव के स्थान पर विकास परिषद् के मदस्य के रूप में कृत्य करेंगे।

3. श्री मनीष बहल, संयुक्त सचिव, उद्योग मंत्रालय, ओद्योगिक विभाग, नई दिल्ली-110011, श्री आर० महावेदन् के स्थान पर विकास परिषद् के सदस्य सचिव के रूप में कृत्य करेंगे।

4. राजा हरेन्द्र सिंह, अध्यक्ष और प्रबंध निवेशक, टेनरी एण्ड फुटवेयर कार्पोरेशन आफ इण्डिया लि०, 13/400, सिविल भाइच्स, कानपुर, झा० १०० सीतारामपौर के स्थान पर विकास परिषद् के सदस्य के रूप में कृत्य करेंगे।

5. श्री एन० लूथर, अध्यक्ष और प्रबंध निवेशक, भारत चमड़ा निगम, नई विली, चमड़ा और चमड़ा माल के उद्योगों के लिए विकास परिषद् के सदस्य के रूप में कृत्य करेंगे।

[सं० 11(81)/78-चमड़ा]

आर० क० ग्रान्ट-निवेशक

MINISTRY OF INDUSTRY

(Department of Industrial Development)

ORDER

New Delhi, the 10th February, 1981

S.O. 695.—IDRA/6/79.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 read with rules 2, 4 and 5 of the Development Council (Procedural) Rules, 1952, the Central Government hereby amends its order No. S.O. 1040/IDRA/6/79, dated the 1st March, 1979 to read as under :—

1. Shri S. M. Ghosh, Secretary, Ministry of Industry, Department of Industrial Development, New Delhi-110011, will function as Chairman of the Development Council for Leather and Leather Goods Industries vice Shri S. S. Marathe, since retired.

2. Shri C. Venkataswamy, Additional Secretary, Ministry of Commerce, New Delhi-110011, will function as a Member of the Development Council vice Shri P. K. Kaul, Additional Secretary.

3. Shri Manish Bahl, Joint Secretary, Ministry of Industry, Department of Industrial Development, New Delhi-110011 will function as a Member, Secretary of the Development Council vice Shri J. Mahadevan.

4. Raja Harendra Singh, Chairman-cum-Managing Director, Tannery & Footwear Corporation of India Ltd., 13/400, Civil Lines, Kanpur will function as a member of the Development Council vice Dr. A. Seetharamiah.

5. Shri N. Luther, Chairman-cum-Managing Director, Bharat Leather Corporation, New Delhi will also function as a Member of the Development Council for Leather and Leather Goods Industries.

[No. 11(81)/78-Leather]

R. K. ANAND, Director

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई विली, 12 फरवरी, 1981

का० आ० 696:—इस मंत्रालय के दिनांक 24 जनवरी, 1981 की समसंख्यक अधिसूचना में प्राशिक रूप से सांगित करते हुए तथा तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) के खण्ड-3, उप-खण्ड (3) तथा इसके अन्तर्गत अन्य सभी प्रत्यन शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार पेट्रोलियम विभाग के सचिव श्री एन० कुमार को अपने पद की हैतियत से पेट्रोलियम विभाग का प्रतिनिधित्व करने के लिए श्री बी० बी० बोहरा के स्थान पर तेल उद्योग विभाग बोर्ड के सदस्य के रूप में तत्काल नियुक्त करती है।

[सं० 7/1/81-Fin-II]

राजेश्वर सेन, दैस्क अधिकारी

MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS

(Department of Petroleum)

New Delhi, the 12th February, 1981

S.O. 696.—In partial modification of this Ministry's Notification of even number dated the 24th January, 1981 and in exercise of the powers conferred by sub-section (3) of section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), and of all other powers hereunto enabling, the Central Government hereby appoints with immediate effect, Shri L. Kumar, Secretary, Department of Petroleum, as Member of the Oil Industry Development Board by virtue of his office, to represent the Department of Petroleum, vice Shri B. B. Vohra.

[No. 7/1/81-Fin. II]

RAJESHWAR SEN, Desk Officer

MINISTRY OF ENERGY

(Department of Coal)

CORRIGENDUM

New Delhi, the 24th December, 1980

S.O. 697.—In the Notification of the Government of India in the late Ministry of Steel, Mines and Coal (Department of Coal) No. S.O. 1803, dated the 21st June, 1980, published at pages 2396 and 2397 of the Gazette of India, Part II, Section 3, Sub-section (ii); dated the 5th July, 1980, at page 2396, in Note 2—

(a) for "which" read "which".

(b) for "Note 3—the Coal Controller, 1, Council House Street, deemed" read "(3) for the purposes of this section, a person shall be deemed."

[No. 19(10)/80-CL]

झर्जा भंडालय

(कोयला विभाग)

नई दिल्ली, 13 जनवरी, 1981

का०ग्रा० 698.—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपावट्ट मन्त्रसूची में उल्लिखित भूमि में कोयला अधिप्राप्त किए जाने की संभावना है;

अतः, केन्द्रीय सरकार, कोयला धारक बोर्ड (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रबत्त शक्तियों का प्रयोग करते हुए, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है।

2. इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेस्ट्रल कोल फील्ड्स लिमिटेड का कार्यालय, राजस्व भनुभाग, दरभंगा हाउस, रांची-834001 (बिहार) में या उपायुक्त का कार्यालय पलामू, डालंगंज, बिहार में घटका कोयला मियवण का कार्यालय, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता-700001 में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितयद सभी व्यक्ति, उन अधिनियम की धारा 13 की उपधारा (7) में निर्विट सभी नक्शों, बाटों और अन्य दस्तावेजों को, इस अधिसूचना के गणपत में प्रकाशन की तारीख से नव्वे दिन के भीतर राजस्व अधिकारी, सेन्ट्रल कोल फील्ड्स लिमिटेड, दरभंगा हाउस, रांची-834001, बिहार को देंगे।

अनुसूची

उत्तरी धांधू ब्लाक

उत्तर करनपुरा कोलफील्ड

जिला-पलामू (बिहार)

मारेखन सं० राजस्व/43/80

तारीख 17-6-1980

(पूर्वेक्षण के लिए अधिसूचित भूमि वक्षित करने हुए)

क्रम सं० ग्राम	धाना	धाना संलग्नांक	अंचल	जिला	क्षेत्रफल	टिप्पणियाँ
1. हेमपुर	बालूमठ	208	बालूमठ	पलामू	—	भाग
2. चितरपुर	"	210	"	"	—	भाग
3. नवाईह	"	211	"	"	—	पूर्ण
4. धांधू	"	212	"	"	—	भाग
5. भैसाडोम	"	213	"	"	—	"
6. गेरेंजा	"	214	"	"	—	"
7. पिंडरकोम	"	217	"	"	—	"
8. मरंगलांड्या	"	222	"	"	—	"
9. विष्णुपुर	"	223	"	"	—	"

कुल क्षेत्रफल 2470 एकड़ (लगभग)

या 999.56 हेक्टर (लगभग)

सीमा वर्णन—

क-क्ष-रेखा हेमपुर और नवाईह ग्रामों की अंगतः साझी सीमा के साथ जाती है और फिर चितरपुर ग्राम में से होकर जाती है।

क्ष-ग रेखा ग्राम चितरपुर (जो विजिता धांधू ब्लाक की साझी सीमा है) में से होकर जाती है।

ग-घ रेखा चितरपुर, धांधू, भैसाडोम, गेरेंजा, विष्णुपुर और मरंगलांड्या ग्रामों में से होकर जाती है।

ध-क्ष रेखा मरंगलांड्या और पिंडरकोम ग्रामों की अंगतः साझी सीमा के साथ साथ जाती है और फिर ग्राम पिंडरकोम में से होकर जाती है (जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) के अधीन अधित पिंडरकोम गणोपापुर ब्लाक की साझी सीमा है)।

क्ष-क्ष-क रेखा पिंडरकोम, गेरेंजा, भैसाडोम और हेमपुर ग्रामों में से होकर जाती है और आरंभिक विन्दु 'क' पर मिलती है।

[सं० 19(48)/80-सी०एल०]

New Delhi, the 13th January, 1981

S.O.698.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereunto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification may be inspected in the office of the Central Coalfields Limited, Revenue Section, Darbhanga House, Ranchi-834001 (Bihar), or in the Office of the Deputy Commissioner, Palamau, Dallanganj Bihar, or in the Office of the Coal Controller, 1, Council House Street, Calcutta-700001.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents, referred to in sub-section (7) of section 13 of the said Act, to the Revenue Officer, Central Coalfields Limited, Darbhanga House, Ranchi-834001 (Bihar) within ninety days from the date of the publication of this notification.

SCHEDULE

North Dhadhu Block

North Karanpura Coalfields.

District-Palamu (Bihar)

D.R. No. Rev/43/80.

dated--17-6-1980.

(Showing lands notified for prospecting)

Serial number	Village	Thana number	Anchal	District	Area	Remarks
1. Hempur	Balumath	208	Balumath	Palamu	-	Part
2. Chitarpur	"	210	"	"	"	Part
3. Nawadih	"	211	"	"	"	Full
4. Dhadhu	"	212	"	"	"	Part
5. Bheisadom	"	213	"	"	"	"
6. Gerenja	"	214	"	"	"	"
7. Pindarkom	"	217	"	"	"	"
8. Marangloiya	"	222	"	"	"	"
9. Bishrupur	"	223	"	"	"	"

Total area—2470.00 acres (approximately) or
999.56 Hectares (approximately).

Boundary description—

A-B	line passes along part common boundary of villages Hempur and Nawadih, then through village Chitarpur.
B-C	line passes through village Chitarpur (which forms common boundary of South Dhadhu block).
C-D	line passes through villages, Chitarpur, Dhadhu, Bheisadom, Gerenja, Bishrupur and Marangloiya.
D-E	line passes along part common boundary of villages Marangloiya and Pindarkom, then through village Pindarkom [which forms a common boundary of Pindarkom—Ganeshpur block acquired under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957)].
E-F-A	lines pass through villages Pindarkom, Gerenja, Bheisadom and Hempur and meets at starting point 'A'.

[No. 19(48)/80-CL]

का० आ० ६९९.—केन्द्रीय सरकार को यह प्रतीत होता है कि हस्से उपावश्यकनुसूची में उल्लिखित भूमि में कोयला अभिन्नात्म किए जाने की संभावना है;

ग्रन्त: केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए, कोयले का पूर्वाखण करने के भ्रमने आशय की सूचना देती है;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण सेन्ट्रल कोलकोल्डम लिमिटेड का कार्यालय, (राजस्व अमुमाग) दरभंगा हाउस, रांची में या उपर्युक्त का कार्यालय, हजारीबाग (बिहार) में अथवा कोयला नियोक्त का कार्यालय, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता में किया जा सकता है।

इस अधिसूचना के प्रधीन आने वाली भूमि में हिस्तबद्ध सभी व्यक्ति उक्त अधिनियम की धरा 13 की उपधारा (7) में निश्चित सभी नवरों, चार्टर्ड और अन्य वस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर राजस्व प्रधिकारी, सेन्ट्रल कोलकोल्डम लिमिटेड, दरभंगा हाउस, रांची को सौंझेंगे।

अनुसूची

परेज विस्तार

उपर्याक : 1, 2 और 3

परिचयी ओकारो कोयला खान

(जिला हजारीबाग) बिहार

रेकॉर्डिंग सं० राजस्व/80-80 तारीख 22-9-80 (पूर्वाखण करने के लिए अधिसूचित भूमियों को दर्शित करते हुए)

उपर्याक

क्रम सं०	ग्राम	थाना	थाना सं०	क्षेत्र	टिप्पणी
1. गोबिन्दपुर	माठू	57		हजारीबाग	भाग
2. इंद्रा	माठू	61		पथोक्त	भाग
3. कुलरी	पथोक्त	62		"	पूर्ण
4. बहेरा	"	63		"	भाग
5. कजरी	"	64		"	"

1	2	3	4	5	6	7
6.	पिपरा	मांडू	67	हजारीबाग		भाग
7.	दुरुकस्मार	"	108	"		"
8.	रोता	"	110	"		"
9.	पिढ़रा	"	112	"		"
10.	तारिंग	"	113	"		"
11.	माडू	"	114	"		"
12.	केकेबसीड़ी	"	115	"		"
13.	पुंछी	"	116	"		"
14.	परेज	"	117	"		"
15.	बारबुट	"	118	"		"
16.	बंजी	"	159	"		"

कुल धोने : 9120.00 एकड़ (लगभग)

या
3690.68 हेक्टर (लगभग)

उपभालक 1 का सीमा वर्णन

क-ख — रेखा नदी की मध्य रेखा से आरंभ होती है, फिर ग्राम बहेग, कतरी, पिपरा, तारिंग, पिढ़रा और रोता ग्रामों में से होकर जाती है।

व-य — रेखा रोता और बरंतपुर ग्रामों की भागिक सामान्य सीमा रोता और सारीसूम, रोता और उल्हारा, पिढ़रा और उल्हारा ग्रामों की सामान्य सीमा के साथ साथ जाती है (जो कोयला अधिनियम की धारा 4(1) के प्रधीन अधिसूचित परेज भालक के साथ भी सामान्य सीमा बनाती है)

ग-ष — रेखा तारिंग और उल्हारा, तारिंग और बारीसूम ग्रामों की सामान्य सीमा के साथ साथ, ग्राम दुरुकस्मार से होकर दुरुकस्मार और बंजी ग्रामों की भागिक सामान्य ग्रीमा के साथ साथ जाती है (जो केमला अधिनियम की धारा 4(1) के प्रधीन अधिसूचित परेज भालक के साथ सामान्य सीमा बनाती है।)

घ-ङ-च — रेखाएं बंजी, बारबुट और परेज ग्रामों से होकर जाती हैं (जो टाटा की पश्चिमी बोकारो कोयला खान की भागिक सामान्य सीमा बनाती है।)

च-छ-ज — रेखाएं परेज ग्राम में बोकारो नदी के भागिक पश्चिमी किनारे के साथ साथ जाती हैं, फिर पुंछी, केकेबसीड़ी और माडू ग्रामों से होकर जाती है (जो कोयला धारक ज्ञेय (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के प्रधीन अधिन पुंछी भालक की भागिक सामान्य सीमा बनाती है।)

ज-झ-ञ-ठ-ঠ — रेखाएं, माडू गोविलपुर और इन्द्रा ग्रामों से होकर जाती हैं।

ঠ-ক— रेखा बोकारो नदी की मध्य रेखा के साथ साथ जाती है (जो अहेरा और इन्द्रा ग्रामों, अहेरा और चरही ग्रामों के साथ सामान्य सीमा तथा अहेरा और चरनादा ग्रामों की भागिक सीमा बनाती है और आरंभिक बिन्दु "ক" पर मिलती है।)

उपभालक 2

क्रम सं०	ग्राम	धाना	धाना सं०	जिला	क्षेत्र	टिप्पणिया
1.	दुरुकस्मार	मांडू	108	हजारीबाग		भाग
2.	बंजी	मांडू	159	हजारीबाग		भाग
3.	इच्छाकड़ीह	मांडू	161	हजारीबाग		भाग

कुल धोने : 1000.00 एकड़ (लगभग)

या
404.68 हेक्टर (लगभग)

सीमा वर्णन—

ঠ-ঢ — रेखा दुरुकस्मार और बंजी ग्रामों से होकर जाती है (जो टाटा की पश्चिमी बोकारो कोयला खान की भागिक सामान्य सीमा बनाती है।)

ঠ-ণ — रेखा बंजी ग्राम से होकर जाती है, फिर इच्छाकड़ीह और केला, इच्छाकड़ीह और लोहै ग्रामों की सामान्य सीमा के साथ साथ जाती है।

ঠ-ঝ — रेखा इচ्छाकड़ीহ और दुरुकस्मार ग्रामों में छुट्टान नदी की दक्षिणी सीमा के साथ साथ और दुरुदाग तथा इচ्छाकड़ीহ ग्रामों की सामान्य सीमा के साथ साथ भी जाती है और आरंभिक बिन्दु "ঝ" पर मिलती है।

उपभालक 3

क्रम सं०	ग्राम	ধানা	ধানা न०	জিলা	ক্ষেত্র	টিপ্পণিয়া
1.	গরকিয়া উর্ফে পরসাৰেৱা	মাংডু	158	হজারীবাগ		ভাগ
2.	কেলা	"	160	হজারীবাগ		ভাগ
3.	লোহৈয়	"	167	হজারীবাগ		ভাগ

কुल धोने — 1940.00 एकड़ (लगभग)

যা
785.08 हेक्टर (लगभग)

सीमा वर्णन

- त-प रेखा केड़ला तथा लोइये ग्रामों की भागिक सामान्य सीमा के साथ-साथ जाती है।
- प-छ रेखा केड़ला ग्राम से होकर जाती है।
- व-ब रेखा केड़ला गरकिया उर्फ परसाबेरा ग्रामों से होकर जाती है (जो टाटा की पश्चिमी बोकारो कोयला खान की भागिक सामान्य सीमा बनाती है)।
- घ-न रेखा गरकिया उर्फ परसाबेरा और ठूनों ग्रामों की भागिक सामान्य सीमा के साथ साथ जाती है।
- न-प रेखा छुटुआ नदी की मध्य रेखा के माथ-माथ जाती है (जो बड़ागूर और लोइये ग्रामों की भागिक सामान्य सीमा के माथ-माथ गरकिया उर्फ परसाबेरा और लासगेरा, गरकिया और मिरका, लोइये और घुड़याड़ीह ग्रामों की सामान्य सीमा बनाती है)।
- फ-ब रेखा ग्राम लोइये से होकर जाती है (जो लोइये कोयला खान चाप्टीयकृत खान के साथ भागिक सामान्य सीमा बनाती है)
- इ-भ-म-य रेखाएं लोइये ग्रामों से होकर जाती हैं।

[सं. 19(55)/80-सी०ए०] ।
स्वर्ण सिंह, अवर सचिव

S.O. 699.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan of the area covered by this notification can be inspected in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, or in the Office of the Deputy Commissioner, Hazaribagh (Bihar), or in the Office of the Coal Controller, 1, Council House Street, Calcutta;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officers, Central Coalfields Limited, Darbhanga House, Ranchi, within 90 days from the date of publication of this Notification.

SCHEDULE

Parej Extension	Drg. No. Rev/8/80
Sub-Block : 1, 2 & 3	dated 22-9-1980
West Bokaro Coalfield	(Showing lands notified for Prospecting).
Distt. Hazaribagh (Bihar).	

Sub-Block-I

Sl. No.	Village:	Thana	Thana No.	District	Area	Remarks
1. Gobindpur		Mardu	57	Hazaribagh		Part
2. Indra		-do-	61	-do-		-do-
3. Phusri		-do-	62	-do-		Full
4. Bahera		-do-	63	-do-		Part
5. Kejri		-do-	64	-do-		-do-
6. Pipra		-do-	67	-do-		-do-
7. Durukesmar		-do-	108	-do-		-do-
8. Rauta		-do-	110	-do-		-do-
9. Pindra		-do-	112	-do-		-do-
10. Taping		-do-	113	-do-		-do-
11. Mardu		-do-	114	-do-		-do-
12. Kekkeswadi		-do-	115	-do-		-do-
13. Pundi		-do-	116	-do-		-do-
14. Parej		-do-	117	-do-		-do-
15. Barughutu		-do-	118	-do-		-do-
16. Banji		-do-	159	-do-		-do-

Total area :— 9120.00 acres (approx.)
or 3690.68 hect. (approx.)

Boundary description of sub-block-I :—

A-B	line starts from Central line of the River, then passes through villages Bahera, Kajri, Pipra, Tapirg, Pirdra & Rauta.
B-C	line passes along the part common boundary of villages Rauta & Basantpur, common boundary with villages Rauta and Barisum, Rauta & Ulhara, Pindra & Ulhara (which forms also common boundary with Parej Block notified u/s 4(1) of the Coal Act).
C-D	line passes along the common boundary of villages Tapirg and Ulhara, Tapirg and Basantpur, through village Durukasmar, along part common boundary of villages Durukasmar & Banji (which forms common boundary with Parej Block Notified u/s 4(1) of the Coal Act).
D-E-F	line pass through villages, Banji, Barughutu and Parej.— (which forms part common boundary of Tata's West Bokaro Colliery).
F-G-H	lines pass along the part left Bank of Bokaro River in village Parej, then passes through villages Purdi, Kekebasaudi and Mandu (which forms part common boundary of Purdi Block acquired under section 9(1) of the Coal Bearing Areas (Acquisition & Development) Act, 1957).
H-I-J-K-L	lines pass through villages Mandu, Gobindpur and Indra.
L-A	line passes along the Central line of Bokaro River (which forms common boundary with villages Bahera & Indra, Bahera and Charkhi and part common boundary of villages Bahera & Charnara and meets at starting point 'A').

Sub-Block-2

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1. Durukasmar	Mandu	108		Hazaribagh		Part
2. Banji	-do-	159		-do-		"
3. Ichakdih	-do-	161		-do-		"
Total area :— 1000.00 acres (approx.) or 404.68 hec. (approx.)						

Boundary description :—

M-N	line passes through villages Durukasmer and Banji (which forms part common boundary of Tata's West Bokaro Colliery).
N-O	lines passes through village Banji, then along the common boundary of villages Ichakdih and Kedla, Ichakdih and Loijo.
O-M	line passes along the southern-boundary of Chutua Nadi in village Ichakdih and Durukasmar also along the common boundary of villages Huidag and Ichakdih and meets at starting point 'M'.

Sub-Block-3 :—

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1. Garkia alias Parsabera	Mandu	158		Hazaribagh		Part
2. Kedla	-do-	160		-do-		-do-
3. Loijo	-do-	167		-do-		-do-
Total area :— 1940.00 acres (approx.) or 785.08 hec. (approx.)						

Boundary description :—

P-Q	line passes along the part common boundary of villages Kedla and Loijo.
Q-R	line passes through village Kedla.
R-S	line passes through villages Kedla, Garkia alias Parsabera (which forms part common boundary of Tata's West Bokaro Colliery).
S-T	line passes along the part common boundary of villages Garkia alias Parsabera and Duni.
T-U	line passes along the central line of Chhoto Nadi (which forms common boundary with villages Garkia alias Parsabera and Sarubera, Garkia and Sirka, Loijo and Bhuiyadih, along part common boundary of villages Badgoor and Loijo.
V-W	line passes through village Loijo (which forms part common boundary with Loijo Colly. nationalised mine).
W-X-Y-P	lines pass through village Loijo.

नई विस्तीर्णी, 10 फरवरी, 1981

का० आ० 700 :—कोयला आन (राष्ट्रीयकरण) अधिनियम 1973 (1973 का 26) की धारा 17 का उपधारा (1) के द्वारा प्रदत्त शर्तों का प्रयोग करते हुए तथा थी थी एस० के० धर की भुगतान आयुक्त के पवर पर नियुक्ति संबंधी भारत सरकार, ऊर्जा मंत्रालय, कोयला विभाग की दिनांक 12 जुलाई 1977 की अधिसूचना का अतिक्रमण करने हुए, केन्द्रीय सरकार कोकर कोयला आन (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 36) के अधीन नियुक्त भुगतान आयुक्त श्री एस० एन० तिवारी को, कोयला आन (राष्ट्रीयकरण) अधिनियम, 1973 (1973 का 26) के द्वारा अथवा उसके अधीन ऐसे भुगतान आयुक्त को यिए गए काम करने के लिए 31 दिनम्बर, 1980 (अप्र० अप्र०) अर्थात् जिस तारीख को उन्होंने थी एन० के० धर से कार्यभार प्राप्त किया उससे, एनद्वारा भुगतान आयुक्त नियुक्त करती है।

[फाल्गुन सं० 11023/9/76-सी० ए०]

टी० सी० ए० श्रीनिवासन, उप सचिव

New Delhi, the 10th February, 1981

S.O. 700.—In exercise of the powers conferred by sub-section (1) of section 17 of the Coal Mines (Nationalisation) Act, 1973 (26 of 1973) and in supersession of the notification of the Government of India Ministry of Energy, Department of Coal, dated the 12th July, 1977, appointing Shri S. K. Dhar as Commissioner of Payments, the Central Government hereby appoints Shri M. N. Tiwary, Commissioner of Payments appointed under the Coking Coal Mines (Nationalisation) Act, 1972 (36 of 1972), as Commissioner of Payments for the purpose of performing the functions assigned to such Commissioner of Payments by or under the Coal Mines (Nationalisation) Act, 1973 (26 of 1973), with effect from 31st December, 1980 (After-noon), on which date he took over charge of office from Shri S. K. Dhar.

[File No. 11023/9/76-CA]

T. C. A. SRINIVASAN, Dy. Secy.

(विष्णुत विभाग)

आवेदन

नई विस्तीर्णी, 31 जनवरी, 1981

का० आ० 701 :—केन्द्रीय सरकार, भारतीय विष्णुत नियम, 1956 के नियम 7 के उप नियम (2) द्वारा प्रदत्त शर्तों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व ऊर्जा मंत्रालय के का० आ०] सं० 3793, तारीख 26 सितम्बर, 1977 को अधिकान्त करते हुए एनद्वारा नियेष वेती है कि संघ राज्य क्षेत्रों और केन्द्रीय सरकार के विभिन्न विभागों के संबंध में विष्णुत नियोजकों या उनकी सहायता के लिए नियुक्त किसी अधिकारी की सेवाओं के लिए इस प्रादेश की अनुसूची में अधिकारित वर्गों पर कीस उद्घीर्त की जाएगी।

अनुसूची

संघ राज्य क्षेत्रों और केन्द्रीय सरकार के विभागों के लिए विष्णुत नियोजकों या विष्णुत नियोजकों को सहायता करने के लिए नियुक्त किसी अधिकारी की सेवाओं के लिए संदेश कीस।

1. परिभाषाएँ:—इस अनुसूची में “स्वामी” के भास्तर्गत किसी ऐसे भवन, स्थान, वाहन या यात का अधिभोगी सम्बिलित है जिसमें ऊर्जा उत्पादित, प्राप्त या प्रयुक्त की जाती है या की जाएगी।

2. कीसों का उद्घारण:—

(1) भारतीय विष्णुत अधिनियम, 1910 (1910 का 9) और उसके अधीन बनाए गए नियमों के उपबन्धों के अधीन प्रारम्भिक या कालिक नियोजन, परीक्षा या परीक्षण के लिए कीस इस अनुसूची के स्केल

“क” से “घ” में विनिर्दिष्ट वर्गों के अनुसार उद्घीर्त और उसमें विभिन्न व्यक्तियों से संगीहत की जाएगी:

परन्तु प्रथम नियोजन परीक्षा या परीक्षण की सारीक्ष से बाहर भास की अधिकारी के भीतर किए गए द्वितीय या पश्चात्वर्ती नियोजन, परीक्षा या परीक्षण की व्याप्ति में,

(क) “क” से “घ” तक के उक्त स्केलों में विनिर्दिष्ट कीस की अधिकी कीस उद्घीर्त की जाएगी यदि विष्णुत इंजीनियर या विष्णुत इंजीनियर की सहायता करने के लिए नियुक्त किसी अधिकारी की राय में, अनुसृतिधारी या स्वामी की, उक्त नियोजक या अधिकारी के किन्हीं विभिन्न अनुदेशों का नियत समय के भीतर पालन करने में उपेक्षा या असफलता के अथवा उक्त अधिनियम या उसके अधीन बनाए गए नियमों के किन्हीं उपबन्धों के भंग के कारण, दूसरा या पश्चात्वर्ती नियोजन, परीक्षा

परिवर्तन आवश्यक हो जाता है; और (ख) यदि द्वितीय या पश्चात्वर्ती नियोजन, परीक्षा या परीक्षण इस प्रकार आवश्यक न हो तो किसी भी कीस या उद्घारण नहीं किया जाएगा।

(2) नियोजन और मनोरंजन के अन्य लोक स्थलों के साधितों के प्रारम्भिक या कालिक नियोजन, परीक्षा या परीक्षण के लिए तथा उसमें परिवर्तन या परिवर्तन के लिए कीस इस अनुसूची के स्केल “ड” में उपबन्धित के अनुसार होती है।

(3) कारखानों में संस्थापनों के प्रारम्भिक या कालिक नियोजन, परीक्षा या परीक्षण के लिए कीस इस अनुसूची के स्केल “घ” में के अनुसार उद्घीर्त और संगीहत की जाएगी।

(4) उक्त अधिनियम के उपबन्धों और उसके अधीन बनाए गए नियमों के अधीन तार लाइनों और केबलों के प्रारम्भिक नियोजन, परीक्षा या परीक्षण के लिए कीस इस अनुसूची के स्केल “छ” से “झ” में उपलिखित के अनुसार और उसमें विभिन्न व्यक्तियों से एकलित की जाएगी:

परन्तु यदि विष्णुत नियोजक या विष्णुत नियोजक को सहायता करने के लिए नियुक्त किए गए किसी अधिकारी की राय में, यथास्थिति, अनुसृतिधारी, टेलीफोन अधिकारी या स्वामी के उक्त नियोजक या विष्णुत नियोजक की सहायता करने के लिए नियुक्त किए गए किसी अधिकारी के किन्हीं विभिन्न अनुदेशों का नियत समय के भीतर पालन करने में उपेक्षा या असफलता के कारण या अधिनियम के उपबन्धों या उसके अधीन बनाए गए नियमों के किसी भंग के कारण संस्थापन का द्वितीय या पश्चात्वर्ती नियोजन, परीक्षा या परीक्षण आवश्यक हो जाता है तो ऐसे द्वितीय या पश्चात्वर्ती नियोजन परीक्षा या परीक्षण के लिए कीस, इस अनुसूची के स्केल “छ” से “झ” तक में विनिर्दिष्ट कीस “०५” अधीन होगी।

(5) छंड (1) से (4) में विनिर्दिष्ट प्रयोजन से भिन्न प्रयोजन के लिए उपभोक्ता या जनता के किसी सदस्य द्वारा अव्यापेक्ष विष्णुत नियोजक विष्णुत नियोजक या विष्णुत नियोजक की सहायता के लिए नियुक्त किसी अधिकारी की सेवाओं के लिए कीस इस अनुसूची के “छ” से “झ” तक में विनिर्दिष्ट रूप में उद्घीर्त और उसमें उपलिखित व्यक्तियों से संगीहत की जाएगी।

(6) विष्णुत नियोजक को विनिर्दिष्ट विवादों के मामलों में कीस इस अनुसूची के स्केल “ट” में के अनुसार उद्घीर्त और उसमें उपलिखित व्यक्तित व्यक्तित से संगीहत की जाएगी।

(7) विष्णुत नियोजक या विष्णुत नियोजक की सहायता के लिए नियुक्त किसी अधिकारी की ऐसी सेवाओं के लिए कीस, जिनके लिए उक्त स्केल के “क” से “ट” तक में कोई विनिर्दिष्ट उपबन्ध नहीं है, इस अनुसूची के स्केल “झ” में यथा उपबन्धित रूप में उद्घीर्त और संगीहत की जाएगी।

3. फीस का संदायः

(1) इस अनुसूची के अधीन संदेय फीस का संदाय या तो निरीक्षण परीक्षा या परीक्षण के पूर्व या उसके समय, यथास्थिति, नई दिल्ली, मद्रास, शिलांग या पाणजी के प्रादेशिक निरीक्षण संगठन के उपनिदेशक, केन्द्रीय विद्युत प्राधिकरण के नाम में, नई दिल्ली, मद्रास, शिलांग या पाणजी स्थित किसी अनुसूचित बैंक पर क्रास चैक या मांग ड्राफ्ट भेजकर संदाय किया जाएगा।

(2) प्राइवेट उपभक्ताओं से संबंधित या उनके नियंत्रण के अधीन संस्थापनों के लिए फीस केवल मांग देय ड्राफ्ट द्वारा संदेय होगी। चेक स्वीकार नहीं किए जाएंगे। मांग ड्राफ्ट यथास्थिति संबंधित उपनिदेशक, केन्द्रीय विद्युत प्राधिकरण, नई दिल्ली, मद्रास, शिलांग या पाणजी के प्रादेशिक निरीक्षण संगठन के पक्ष में होने चाहिए।

(3) यदि किसी कारण से फीस का संदाय निरीक्षण, परीक्षा या परीक्षण से पूर्व या उसके समय नहीं किया जाता है तो फीस का संदाय ऐसे निरीक्षण, परीक्षा या परीक्षण की रिपोर्ट के जारी होने की तारीख से से 30 दिन के भीतर किया जाएगा। किसी उपभोक्ता द्वारा विनिर्दिष्ट समय के भीतर या फीस नोटिस में विनिर्दिष्ट तारीख से पूर्व फीस का संदाय न करने की दशा में भारतीय विद्युत नियम, 1956 के नियम 46 के उपनियम (2) के खण्ड (ख) के अधीन कार्यवाही की जाएगी।

स्केल "क"

(1) ऐसे किसी विद्युत मोटर के लिए जिसे उच्च या मध्यम दबाव पर ऊर्जा का प्रदाय किया जाता है या किया जाना है या उच्च या मध्यम दबाव पर जिसमें ऊर्जा उपयोग किया जाता है या किया जाना है। भारतीय विद्युत नियम के अनुसरण में किए गए निरीक्षण, परीक्षा और परीक्षण के लिए—

प्रत्येक मोटर की क्षमता	फीस रुपये
1. 5 हार्स पावर तक और उसे सम्मिलित करके	10.00
2. 5 हार्स पावर से अधिक और 10 हार्स पावर तक और उसे सम्मिलित करके	15.00
3. 10 हार्स पावर से अधिक और 25 हार्स पावर और उसे सम्मिलित करके	30.00
4. 25 हार्स पावर से अधिक और 50 हार्स पावर तक और उसे सम्मिलित करके	50.00
5. 50 हार्स पावर से अधिक और 100 हार्स पावर तक और उसे सम्मिलित करके	80.00
6. 100 हार्स पावर से अधिक और 250 हार्स पावर तक और उसे सम्मिलित करके	100.00

स्केल "ख"

विद्युत उत्पादन केन्द्र

1. ऐसे किसी विद्युत उत्पादन केन्द्र या किसी अन्य स्थान, जिसमें सौ बोल्ट या अधिक दबाव पर ऊर्जा का उत्पादन किया जाता है या किया जाना है, उत्पादन यूनिट, स्विचगीयर पैनलों, बस डब्ल्स तथा/अथवा केबलों आदि का भारतीय विद्युत नियम के अनुसरण में निरीक्षण, परीक्षा या परीक्षण के लिए फीस नीचे लिखे अनुसार उद्घाटित की जाएगी:

2. जैनेटर पर माउन्टिंग सहित प्रत्येक विद्युत उत्पादन यूनिट के लिए फीस निम्नानुसार होगी:—

विद्युत उत्पादन यूनिटों की प्रतिष्ठापित क्षमता —किलोवाट में	फीस (रुपये)
1	2
1. 25 किलोवाट तक और उसे सम्मिलित करके	50.00
2. 25 किलोवाट से अधिक किन्तु 100 किलोवाट से अनधिक	150.00
3. 100 किलोवाट से अधिक किन्तु 500 किलोवाट से अनधिक	300.00
4. 500 किलोवाट से अधिक किन्तु 1000 किलोवाट वाट से अनधिक	500.00
5. 1000 किलोवाट से अधिक किन्तु 10000 किलोवाट से अनधिक	1,000.00
6. 1000 किलोवाट से अधिक किन्तु 50000 से अनधिक	1,500.00
7. 50,000 किलोवाट से अधिक किन्तु 200,000 किलोवाट से अनधिक	2,000.00
8. 200,000 किलोवाट से अधिक किन्तु 500,000 किलोवाट से अनधिक	3,000.00
9. प्रत्येक अतिरिक्त 100,000 किलोवाट या उसके भाग के लिये	1,000.00

टिप्पणी:—परन्तु यदि एक्साइटर अलग से ग्राउट किया गया हो तो अलग से फीस संदेय होगी और यह फीस मोटर प्रतिष्ठापन के समान होगी।

3. उत्पादन यूनिट को स्विचगीयर के साथ जोड़ने वाले बस डब्ल्स और/या केबिल

(क) अतिरिक्त उच्च बोल्ट्स/उच्च बोल्ट्स के लिए	रुपये
.	50.00
(ख) मध्यम बोल्ट्स के लिए	20.00
4. प्रत्येक उत्पादन यूनिट का कंट्रोल पैल:	
(क) अ० उ० वो०/उ० वो० के लिए	50.00
(ख) मध्यम बोल्ट्स के लिए	20.00
5. नियंत्रक आनुबंधिक तथा इसके नियंत्रण गियर सहित प्रत्येक मोटर प्रतिष्ठान	—स्केल "क" के अनुसार
6. सतत बस सहित वितरण पैनलों का एक ब्लॉक	
(क) अ०उ०वो०/उ०वो० के लिए	50.00
(ख) म० वो० के लिए	20.00
7. बिजली घर को स्विचयार्ड से जोड़ने वाले केबिल या शिरोपरि लाइन जैसे भी स्थिति हो:	
(क) अ० उ० वो०वो०/उ० वो० के लिए	50.00
(ख) म० वो० के लिए	20.00
8. विद्युत केन्द्र का प्रत्येक ट्रांसफार्मर चाहे यह केन्द्र सेवा में ही अथवा नितरण में—चाहे स्टेप अप हो या स्टेप डाउन	स्केल "ग-2" के अनुसार
9. ट्रांसफार्मर से स्विचगीयर को जाने वाले केबिल:	
(क) अ०उ०वो०/उ० वो० के लिए	50.00
(ख) म० वो० के लिए	20.00
10. बाहरी स्विचयार्ड	स्केल "ग" के अनुसार
11. जेनरेटर केन्द्र में लघु आउटडोर या ट्रांसफार्मर प्रतिष्ठापन के मामले में जी० ओ० स्विच तथा जोड़ने वाले बस लिंग	20.00

स्केल "ग"

ग्रिड उपकेन्द्र/आउटडोर स्विचबोर्ड

(66 के० वी० तथा अधिक)

1. भारतीय विद्युत नियम के अनुसरण में किसी भी ग्रिड उपकेन्द्र में किसी उत्पादन केन्द्र बाहरी स्विचबोर्ड में या किसी ऐसे अन्य स्थान पर, जिसमें ऊर्जा का रूपांतरण, उपयोग या वितरण किया जाता है या किया जाना है, किसी ट्रांसफार्मर, केबलों कटोल गियर और अन्य विद्युत उपस्कर और/या शिरोपरि बसों के निरीक्षण, परीक्षा या परीक्षण के लिए फीस नीचे दिए गए स्केल के अनुसार उद्धीहत की जाएगी :

2. ग्रिड उपकेन्द्र या बाहरी स्विचबोर्ड में प्रत्येक ट्रांसफार्मर यूनिट के लिए फीस का स्केल नीचे दी गई तालिका के अनुसार होगा :—

प्रत्येक ट्रांसफार्मर यूनिट की क्षमता	फीस (रुपये)
1. 100 के० वी० ए० तक और उसे सम्मिलित करके	50.00
2. 100 के० वी० ए० से अधिक किन्तु 500 के० वी० ए० से अनधिक	100.00
3. 500 के० वी० ए० से अधिक किन्तु 1000 के० वी० ए० से अनधिक	200.00
4. 1000 के० वी० ए० से अधिक किन्तु 5000 के० वी० ए० से अनधिक	300.00
5. 5000 के० वी० ए० से अधिक किन्तु 10000 के० वी० ए० से अनधिक	500.00
6. 10000 के० वी० ए० से अधिक किन्तु 20000 के० वी० ए० से अनधिक	750.00
7. प्रत्येक अतिरिक्त 10000 के० वी० ए० या उसके भाग के लिए	100.00
8. नियंत्रण कक्ष या ग्रिड उपकेन्द्र में पेनलों का प्रत्येक ब्लाक	10.00 रुपये प्रति कक्ष
9. परिशोधिक बैटरी प्रभार आदि जैसे बैटरी कक्ष प्रतिष्ठान	100.00 रुपये प्रति बैटरी कक्ष
10. एक ०वी० वितरण पैनलों या स्विचों का एक ब्लाक	50.00 रुपये
11. समकालिक धारित्र	ऊपर दी गई तालिका के अनुसार
12. संधारित्रों का एक ब्लैक	100.00 रुपये
13. मशीन चलाने वाली प्रत्येक मोटर	स्केल "क" के अनुसार
14. तड़ित निरोधक सो०टी० पी०टी० सी० वी०टी० तथा कपलिंग धारित्रों का प्रत्येक सेट के लिए	50.00 रुपये प्रति सेट
15. बसों का प्रत्येक सेट तथा इसके आइसोलेटर	50.00 रुपये प्रति सेट
(क) 200 के० वी० तथा अधिक के लिए	100.00 रुपये प्रति सेट
(ख) 200 के० वी० से कम के लिए	50.00 रुपये प्रति सेट

प्रत्येक ट्रांसफार्मर यूनिट की क्षमता

फीस (रुपये)

12. ओ० सी० वी० का प्रत्येक सेट तथा इसके आनुषंगिक उपस्कर (क) अतिरिक्त उच्च बोल्टता के लिए	200.00 रुपये
ख, उच्च बोल्टता के लिए	100.00 रुपये

टिप्पणी :— 1. सुरक्षा के लिए योग में लाए गए केबल स्विचगीयर का एक भाग माने जाएंगे तथा इसके लिए अलग से कोई फीस संदेय नहीं होगी।

2. निरीक्षण फीस का संदेय प्रतिष्ठानों के स्वामी अथवा उसके प्राधिकृत अधिकर्ता द्वारा किया जाएगा।

स्केल "घ"

वितरण उपकेन्द्र

[33/11 के० वी० 33. 416 के० वी० II/416 के० वी०]

1. भारतीय विद्युत नियम के अनुसरण में किसी भी वितरण उपकेन्द्र जिसने नियंत्रण पेनल, आइसोलेटिंग स्विचों, बस बार आदि सम्मिलित हैं के निरीक्षण, परीक्षा या परीक्षण के लिए फीस नीचे अनुसार उद्धीहत की जाएगी :

2. आवक (इनकार्पोरेशन) पोल संरचना, जिसमें कोई ट्रांसफार्मर नहीं है, किन्तु जिसमें जी० ओ० ग्रो० स्विच० ड्राप-आउट फ्लूज तथा तड़ित निरोधक सम्मिलित है।

(क) मध्यम बोल्टता के लिए फीस	55.00 रुपये
(ख) 11 के० वी० तक तथा उसे सम्मिलित करके, उच्च बोल्टता के लिए फीस	100.00 रुपये
(ग) 11 किलोवाट से अधिक उच्चबोल्टटा के लिए फीस	200.00 रुपये
3. उप केन्द्र में ट्रांसफार्मर	स्केल "ग-2" के अनुसार
4. नियंत्रण पेनलों का एक ब्लाक संकेट ब्रेकरों के साथ तथा सतत बस के साथ	10.00 रुपये प्रति पेनल

5. पोल संरचना को ट्रांसफार्मर के साथ जोड़ने वाले उच्च बोल्टता केबल	50.00 रुपये
6. भीतरी (इनडोर) उपकेन्द्र के मामले में पोल संरचना से नियंत्रण पेनल तक	50.00 रुपये
7. केबल नियंत्रण पेनलों का एक सेट	50.00 रुपये
8. नियंत्रण पेनलों से ट्रांसफार्मर तक जाने वाले केबल	50.00 रुपये
9. एक से अधिक पीछकों को नियंत्रित करने वाला प्रत्येक वितरण बक्स	20.00 रुपये/बक्स
10. एम० वी० स्विचबोर्ड से बाहर जाने वाले शिरोपरि लाइन तक केबिल	10.00 रुपये/केबिल

टिप्पणी :

1. पोल मार्टिन उप केन्द्र के मामले में फीस का आकलन केबल मद सं० 2, 3 और 9 में दी गई शर्तों के अनुसार किया जाना है।
2. आवक पोल संरचना तथा इसके सम्बद्ध उपस्कर के बारे में किसी भी अभिवृद्धि या परिवर्तन के लिए संदेय फीस 2 क, 2 ख और 2 ग में निर्दिष्ट फीस की आधी होगी।
3. फीस का संदाय स्वामी अथवा उसके प्राधिकृत अधिकर्ता द्वारा किया जाएगा।

स्केल "क"

1. सिनेमा निधमों के अनुसार किसी एनक्लोजर, सिनेमा साधित्र और सार्वजनिक मनोरंजन के किसी स्थान में किसी अन्य विद्युत प्रतिष्ठापन, साधन या साधित्र के निरीक्षण, परीक्षा या परीक्षण के लिए फीस:—
1. चल सिनेमा या खंड (4) में निर्दिष्ट सार्वजनिक मनोरंजन के किसी अन्य अस्थायी स्थान से भिन्न किसी सिनेमा या थियेटर में किसी विद्युत प्रतिष्ठापन, साधन या साधित्र के प्रारंभिक निरीक्षण, परीक्षा या परीक्षण के लिए 200.00 रुपये
2. खंड (1) में निर्दिष्ट सिनेमाओं या थियेटरों में प्रतिष्ठापन साधन या साधित्र के प्रत्येक पञ्चात्वर्ती वाधिक निरीक्षण परीक्षा या परीक्षण के लिए 100.00 रुपये
3. खंड (1) में निर्दिष्ट किसी सिनेमा या थियेटर में किसी विद्युत प्रतिष्ठापन के प्रारंभिक परिवर्तन या परिवर्तन के निरीक्षण, परीक्षा या परीक्षण के लिए 20.00 रुपये
4. (क) चल सिनेमा या सार्वजनिक मनोरंजन के किसी अन्य अस्थायी स्थान में किसी विद्युत प्रतिष्ठान साधन या साधित्र के निरीक्षण, परीक्षा या परीक्षण के लिए—100.00 रुपये
- (ख) ऐसे सिनेमा या सार्वजनिक मनोरंजन के किसी स्थान में कालिक या परिसर के स्थान में किसी परिवर्तन के कारण आवश्यक हुए, किसी विद्युत प्रतिष्ठापन, साधन या साधित्र के किसी प्रत्येक पञ्चात्वर्ती निरीक्षण, परीक्षा या परीक्षण के लिए 50.00 रुपये
5. प्रतिष्ठापन, साधन या साधित्र के परिवर्तन के कारण आवश्यक हुए किसी चल या अस्थायी सिनेमा या सार्वजनिक मनोरंजन के किसी अन्य अस्थायी स्थान में विद्युत प्रतिष्ठान, साधन या साधित्र के इस दृष्टि से निरीक्षण परीक्षा या परीक्षण के लिए किये सार्वजनिक मनोरंजन के स्थायी स्थानों के लिए नियमों और विनियमों के अनुसूची हैं—100.00
2. बातानुकूलित सिनेमा घर के लिए ऊपर दिए गए स्केल के अनुसार फीस उद्घाहीत की जानी है तथा प्रत्येक मपेटर के लिए फीस स्केल "क" के अनुसार उद्घाहीत की जानी है।
3. फीस का संदाय स्वामी द्वारा किया जाएगा।

स्केल "घ"

संयंक्र तथा कारखाने

1. भारतीय विद्युत नियम, 1956 के अनुसरण में किसी विद्युत प्रतिष्ठापन, साधन या साधित्र (विद्युत उत्पादन केन्द्र या ग्रिड उपकेन्द्र या वितरण उपकेन्द्र के अलावा (जिसके लिए कारखाना अधिनियम, 1948 (1948 का 63) के अर्थ में किसी कारखाने के लिए स्केल ख-2 ग-2, तथा घ-2 के अन्तर्गत अलग फीस का संदाय किया जाएगा, के निरीक्षण, परीक्षा या परीक्षण के लिए जिसे किसी अनुप्रिधारी द्वारा ऊर्जा का प्रदाय किया जाता है या जहाँ ऊर्जा का उत्पादन किया जाता है।

- (1) विजली या विद्युत से निव अन्य प्रयोजनों के लिए, परन्तु यह कि किसी ऐसे कारखाने में जो कारखाना अधिनियम, 1948 (1948 का 63) की परिधि में नहीं आता है, किसी विद्युत प्रतिष्ठापन, साधन या साधित्र की वाबत इस मद के अधीन कोई फीस नहीं ली जाएगी।

(बश्ते कि किसी कारखाना या वर्कशाप में कारखाना के अहाते के अन्दर मम्बद्ध भार निर्धारित करने के लिए प्रत्येक अलग भवन अथवा शैद को एक यूनिट माना जाएगा।

(2) स्टार्टर सहित प्रत्येक मोटर के लिए स्केल "क" के अनुसार

(3) एक से अधिक मोटरों के लिए 10.00 रुपये विद्युत सप्लाई कर रही वितरण प्रणाली के लिए

(4) विद्युत उत्पादन केन्द्र, ग्रिड उपकेन्द्र स्केल "घ" से "ब" के या वितरण उपकेन्द्र, जिनमें ऊर्जा का अनुसार उत्पादन या रूपान्तरण या वितरण किया जाएगा

(5) शिरोपर ट्रेवलिंग ट्रेनों के लिए

(क) मुख्य स्विच बोर्ड, रेलें तथा केबिनें 100.00 रुपये

(ख) मोटर यूनिट स्केल "क" के अनुसार

स्केल "छ"

उपभोक्ता को विद्युत की सप्लाई

1. उपभोक्ताओं को सप्लाई करने के लिए विद्युत प्रतिष्ठापन साधित्र नियंत्रण गीयर आदि का, भारतीय विज्ञुत नियम, 1956 के अनुसरण में, निरीक्षण, परीक्षा या परीक्षण के लिए फीस निम्नानुसार उद्घाहीत की जाएगी:—

2. उपभोक्ताओं को अतिरिक्त उच्च बोल्टता पर विद्युत सप्लाई: अतिरिक्त उच्च बोल्टता वाले उपभोक्ताओं को विद्युत सप्लाई करने वाली लाइनों तथा उपकेन्द्रों का निरीक्षण करने के लिए फीस स्केल "झ" तथा स्केल "ग" के अनुसार, जो भी लागू हो, उद्घाहीत की जाएगी।

3. उच्च बोल्टता वाले उपभोक्ताओं को विद्युत सप्लाई:

आवक संरचना के लिए फीस स्केल "घ" के अन्तर्गत निर्धारित स्केल के अनुसार उद्घाहीत की जानी है और यदि उपभोक्ता के अहाते में उपकेन्द्र स्थापित किया जाना है तो फीस स्केल "ग" के अनुसार होगी। लाइनों/केबिलों के निरीक्षण के लिए फीस स्केल "झ" में निर्धारित की गई फीस के अनुसार उद्घाहीत की जाएगी।

4. मध्यम बोल्टता वाले उपभोक्ताओं को विद्युत सप्लाई:

मध्यम बोल्टता तथा निम्न बोल्टता सेवा करनेवालों के लिए 10.00 रुपये

5. बहु-मजिली इमारतें:—

क. प्रत्येक मध्यम बोल्टता वाले वितरण बोर्ड के लिए फीस 10.00 रुपये

ख. प्रकाश/पंखा/भार प्रति किलोबाट सम्बद्ध भार या उसके भाग के लिए 10.00 रुपये

ग.	लिपटों के मामले में उद्ग्रहीत की जाने वाली फीस नीचे लिखे अनुमार होगी :—	निरीक्षण, परीक्षा या परीक्षण के लिए उद्ग्रहीत की जाने वाली फीस नीचे लिखे अनुमार होगी :—
	(क) नियंत्रण पेनल/बोर्ड	50.00 रुपये
	(ब) भोटा यूनिट	स्कैल "क" के अनुमार
6.	आकाशवाणी/दूरदर्शन :—	
	आकाशवाणी/दूरदर्शन के मामले में उद्ग्रहीत की जाने वाली फीस नीचे लिखे अनुमार होगी :—	
	(क) प्रत्येक ट्रान्समीटर पैनल	100.00 रुपये प्रति पैनल
	(ख) अभिग्रहण केन्द्र	50.00 रुपये (न्यूनतम)
7.	एक्स-रे संयंत्र :—	
	एक्स-रे संयंत्र के निरीक्षण के लिए उद्ग्रहीत की जाने वाली फीस नीचे लिखे अनुमार होगी :—	
	पहले 10 के ० बी० ए०	30.00 रुपये जामा उसमें अधिक प्रत्येक के ० बी० ए० के लिए 5.00 रुपये
8.	नियोन साइन बोर्ड :—	
	नियोन साइन बोर्डों के निरीक्षण के लिए उद्ग्रहीत की जाने वाली फीस नीचे लिखे अनुमार होगी :	
	400 के ० बी० ए० तक न्यूनतम	50.00 रुपये जामा उसमें प्रत्येक प्रत्येक के ० बी० ए० तथा उसके भाग के लिए 5.00 रुपये
	एक्सल "ज"	
	टावर और क्रांसिंग	
	1. तार लाइनों के टावरों, क्रांसिंगों जिसमें टेलीफोन/टेलीफोन या अन्य तार लाइनों आदि के ऊपर बेयर कॉडकटर, टावर, क्रांसिंग शामिल हैं, के निरीक्षण, परीक्षा या परीक्षण के लिए :—	
	फीस (रुपये)	
क.	ई० एच० बी० लाइन में प्रत्येक टावर (66 के ० बी० और उसमें ऊपर	50.00 प्रति टावर
ग.	प्रत्येक क्रांसिंग, मट्टक क्रांसिंग, डाक- अनियंत्रित उच्च बोल्टता/ तार लाइन के ऊपर क्रांसिंग तथा उच्च बोल्टता लाइनें अन्य विशुद्ध लाइनें	उच्च बोल्टता लाइनें प्रत्येक क्रांसिंग का या इमारतों के ऊपर कोई अस्थायी परिवर्तन या परिवर्तन करने का प्रस्ताव करता है।
	नदी क्रांसिंग या इमारतों के ऊपर क्रांसिंग	50.00 रुपये प्रति क्रांसिंग मध्यम बोल्टता लाइन 10.00 रुपये प्रति क्रांसिंग
	एक्सल "ज"	
	स्कैल "ज्ञ"	
	प्रतिदिन या उपरोक्त भाग के लिए 100.00 रुपये	
	1. किसी भी विशुद्ध मर्कर्ट घटना जिसमें टारी वायर और शिरोपरि उपस्कर सम्मिलित हैं और वाँडिंग कारण धाराओं के निरीक्षण या परीक्षा के लिए या परीक्षण के लिए	
	2. फीस का संदाय यथास्थिति, अनुशासितधारी द्वारा या विशुद्ध संरक्षण पद्धति के स्वामी द्वारा किया जाएगा।	
	एक्सल "ट"	
	प्रतिदिन या उपरोक्त भाग के लिए 100.00 रुपये	
	1. भारतीय विशुद्ध प्रधिनियम, 1910 (1910 का 9) की धारा 26 की उपधारा (6) और (7) के अधीन मीटर और अन्य साधितों के परीक्षण और उन पर नियंत्रण लेने के लिये निम्न विशेषण के मीटर के प्रयोगशाला में परीक्षण के लिये :—	
	एक्सल "ट"	
	(1) 50 एम्पि की धमता और उसे सम्मिलित करके : निम्न दबाव वाले संचालनों के लिए :	15.00
	मध्य दबाव वाले :	20.00
	उच्च दबाव :	25.00

(2) 50 एम्पि० से अधिक किन्तु 200 एम्पि० से अनन्धिक कमता के लिये :—

निम्न दबाव वाले संस्थापनों के लिये :	20.00
मध्य दबाव वाले :	25.00
उच्च :	30.00

(3) 200 एम्पि० से अधिक कमता के लिये :—

निम्न दबाव वाले संस्थापनों के लिये :	35.00
मध्य :	40.00
उच्च :	50.00

टिप्पणी : (1) अनुज्ञानिकारी अपने खर्च पर विवादप्रस्त भीटर निरीक्षण प्रयोगशाला में देगा और उसे वहाँ से बाप्स मेंगा।

(2) स्थल पर भीटर के परीक्षण की अपेक्षा करने वाले अनुज्ञानिकारी या उपचाक्ता को अधिग्राम में यात्रा भना के प्रभाव का संदाय निरीक्षण अधिकारी को करना होगा।

(3) परीक्षण केवल ऐसे भी भीटरों का किया जायेगा जिनके लिये सुधारायें उक्त निरीक्षण में उपलब्ध होंगी। अन्य मामलों में यदि व्यवस्थाये संभव हों तो विद्विट फीस के अनुवाद वास्तविक खर्च भी उठाने होंगे।

(2) फीस का अधिग्राम संदाय मामला निर्विष्ट करने वाले पक्षकार द्वारा किया जाएगा किन्तु विद्विट निरीक्षक या विद्विट निरीक्षक की महादता के लिये नियुक्त अन्य कोई अधिकारी जिसके द्वारा देसी फीस, यात्रा भना प्रभाव और भीटर के देने और लेने में उपगत खर्च उठाया जाएगा। भारतीय विद्विट नियम, 1956 के तियम 8 के अधीन विनिश्चय करेगा।

टिप्पणी : स्केल "ठ" के खण्ड (1) के प्रयोगजन के लिये भीटर और अन्य नाधिक्तों की कमता का विनिश्चय करने में, शर्न्टों या चालू द्रांसफारपों की प्रथम साइड की कमताओं की, जहाँ कहीं वे भीटरों या अन्य साधिक्तों के साथ उपयोग में किये जाने हैं, मंगणना की जायेगी।

स्केल "छ"

1. किसी मैन, वितरण मैन या मध्य या उच्च वोल्टेज वाली आन्वरिक वायरिंग की संविस लाइन में उसमें अरण की ओज के लिये, जिसका परिणाम विद्विट उपचाक्त या जल, गैस या अन्य पाइप या उससे सम्बंधित किसी

माधिक के कोई अन्य कानून हो सकती है, निरीक्षण, परीक्षा या परीक्षण के लिये फीस :

2. यदि ऐसे किसी मैन, वितरण मैन या संविस लाइन में किसी अरण की ओज की जाती है तो फीस का संदाय व्याप्तिनि, अनुज्ञानिकारी या मैन, वितरण मैन या संविस लाइन के स्वामी द्वारा किया जायेगा।

3. यदि अरण की ओज नहीं की जाती है तो फीस का संदाय जल, गैस या अन्य पाइप या उससे सम्बंधित माधिक के स्वामी द्वारा किया जायेगा।

स्केल "छ"

1. अध्र्व करण के लिये संस्थान के परीक्षण के लिये

10.00 रुपये

2. अविवेन करने वाले पक्षकार द्वारा फीस का संदाय किया जायेगा

12.00 रुपये

स्केल "ज"

- किसी भी संस्थापन में अध्र्व-करण के स्वानीय-करण के लिये प्रथम घटे या उसके भाग के लिए 10 रुपये और तत्पचात् प्रति घटे या उसके भाग के लिए 5 रुपये।
- अविवेन करने वाले पक्षकार द्वारा फीस का संदाय किया जायेगा।

स्केल "त"

- भारतीय विद्विट अधिनियम, 1910 (1910 का 9) की अनुसूची की धारा 21(4), 26(4) या 26(6) या खण्ड 5(2) या 6(3) के अधीन उत्पन्न किसी मनमेद या विवाद की वश में विनिश्चय के लिये :

2. फीस का संदाय विवाद विनिविष्ट करने वाले पक्षकार द्वारा अधिग्राम में किया जाएगा किन्तु अन्त में वह उम्म व्यक्ति द्वारा उठाया जाएगा। जिसके विद्विट निर्णय दिया जाए :

परन्तु उक्त अधिनियम की धारा 26(6) के अधीन विनिश्चय के लिए विद्विट निरीक्षक को निर्दिष्ट किसी मनमेद या विवाद की दशा में, स्केल "ठ" के अनुसार भीटर के परीक्षण के लिए अनिरिक्त फीस वसूल की जा सकती है।

3. प्रत्येक सुनवाई और इस सम्बन्ध में आवश्यक निरीक्षण के लिए फोम प्रभार्य होती है।

स्केल "ष"

- ऐसे किसी निरीक्षण, परीक्षा या परीक्षण के लिए, जिस की पूर्वगामी किसी स्केलों में व्यवस्था नहीं की गई है, तो केन्द्रीय सरकार विद्विट निरीक्षक या विद्विट निरीक्षक की महायता के लिए नियुक्त किसी अधिकारी की सेवाओं के लिए ऐसी फीस उद्घासित कर सकती है जैसी वह विशेष आदेश द्वारा निर्दिष्ट करे।

2. ऐसे किसी निरीक्षण, परीक्षा या परीक्षण के लिए, जिसकी किन्तु पूर्वगामी स्केलों में व्यवस्था नहीं की गई है, तो केन्द्रीय सरकार विद्विट निरीक्षक या विद्विट निरीक्षक की महायता के लिए नियुक्त किसी अधिकारी की सेवाओं के लिए ऐसी फीस उद्घासित कर सकती है जैसी वह विशेष आदेश द्वारा निर्दिष्ट करे।

3. उक्त फीस का संदाय निरीक्षण, परीक्षा या परीक्षण किए गए साधित के स्वामी द्वारा किया जाएगा या उम्म पक्षकार द्वारा किया जाएगा जो विद्विट निरीक्षक या ऐसे निरीक्षक, परीक्षा या परीक्षण के लिए विद्विट किसी अधिकारी की सेवाओं की व्यवस्था करने के लिए नियुक्त किसी अधिकारी की भेदभावों की अध्यधिकारी करता है।

[सं० 25/4/80-डैस्ट-]

कमलाकर मिश्र, संयुक्त सचिव

(Department of Power)

ORDER

New Delhi, the 31st January, 1981

S.O. 701.—In exercise of the powers conferred by sub-rule (2) of Rule 7 of the Indian Electricity Rules, 1956 and in supersession of order of the Government of India in the Ministry of Energy No. S.O. 3793 dated the 26th September, 1977, the Central Government hereby directs that the services of Electrical Inspectors or any officer appointed to assist the Electrical

Inspectors in respect of Union Territories and the various departments of Central Government, the fee shall be levied at the rates as laid down in the Schedule to this order.

SCHEDULE

Fees payable for the services of Electrical Inspectors or any officer appointed to assist the Electrical Inspectors for Union Territories and Central Government Departments.

1. Definitions:—In this Schedule “owner” includes an occupier of any building, place, carriage or vessel in which energy is or is about to be, generated, received or used.

2. Levy of fees:—(1) Fees are initial or periodical inspection, examination or tests made under the provisions of the Indian Electricity Act, 1910 (9 of 1910) and the rules made thereunder, shall be levied in accordance with the rates specified and collected from the persons mentioned in Scales ‘A’ to ‘D’ of this Schedule;

Provided that in the case of a second or subsequent inspection, examination or test made within a period of twelve months from the date of first inspection, examination or test—

- (a) One half of the fees specified in the said scale ‘‘A’’ to ‘‘D’’ shall be levied if, in the opinion of the Electrical Inspector or any officer appointed to assist the Electrical Inspector, the second or subsequent inspection, examination or test is necessitated by the neglect or failure of the licensee or owner to carry out within a stipulated time, any written instructions of the said Inspector or officer or by a breach of any of the provisions of the said Act or the rules made thereunder; and
- (b) no fees shall be levied if the second or subsequent inspection examination or test is not so necessitated.

(2) Fees for initial or periodical inspection, examination or test of cinematograph apparatus and other public places of entertainment and for addition or alteration made therin, shall be as provided in Scale “E” of this Schedule.

(3) Fees for initial or periodical inspection, examination or test of installations in factories shall be levied and collected as per scale “F” of this Schedule.

(4) Fees for initial inspection, examination or test of aerial lines and cables made under the provisions of the said Act and the rules made thereunder shall be levied in accordance with and collected from the persons mentioned in scales “G” to “I” of this Schedule.

Provided that, if in the opinion of the Electrical Inspector or any officer appointed to assist the Electrical Inspector a second or subsequent inspection, examination or test of the installation is necessitated by the neglect or failure of the licensee, the telephone authority or the owner as the case may be, to carry out within stipulated time, any written instructions of the said Inspector or any officer appointed to assist the Electrical Inspector or by a breach of any of the provisions of the Act, or the rules made thereunder the fee for such second or subsequent inspection, examination or test shall be one-half of the fee specified in Scales “G” to “I” of this Schedule.

(5) Fee for the Services of any Electrical Inspector or any officer appointed to assist the Electrical Inspector requisitioned by consumer or by a member of the public for purpose other than those specified in clause (1) to (4) shall be levied in accordance with and collected from the persons mentioned in Scales “J” to “O” of this Schedule.

(6) Fee in case of disputes referred to the Electrical Inspector shall be levied in accordance with and collected from the persons mentioned in Scale “P” of this Schedule.

(7) Fees of the services of the Electrical Inspector or any officer appointed to assist the Electrical Inspector not specifically provided for in the said scale “A” to “P” shall be levied and collected as provided in Scale “Q” of this Schedule.

3. Payment of fees:—(1) The fees payable under this Schedule shall be paid either prior to or at the time of inspection, examination or tests by sending cross cheque or demand draft on any Scheduled Bank at New Delhi, Madras, Shillong or Panaji, drawn in favour of Deputy Director, Central Electricity Authority, Regional Inspectorial Organisation, New Delhi, Madras, Shillong or Panaji, as the case may be.

(2) For the installations belonging to and under the control of private consumers, the fee shall be payable by Demand Draft only. The cheques shall not be payable accepted. The demand draft may be drawn in favour of the concerned Deputy Director, Central Electricity Authority, Regional Inspectorial Organisation, New Delhi, Madras, Shillong or Panaji, as the case may be.

(3) If for any reason, the fee is not paid either prior to or at the time of inspection, examination or test, such fees shall be paid within 30 days from the date of issue of report of such inspection, examination or tests. In the event of the failure of any consumer to pay the fees within the specified time or before the date specified in fee-notice action shall be taken under clause (b) of sub-rule (2) of rule 46 of the Indian Electricity Rules, 1956.

SCALE “A”

(1) For inspection, examination and testing made in pursuance of Indian Electricity Rules for any electrical motor to which energy is or is about to be supplied or used at high and medium pressure.

Capacity of each motor	Fee (Rs.)
(i) Upto and including 5 HP	10.00
(ii) Exceeding 5 HP and upto and including 10 HP	15.00
(iii) Exceeding 10 HP and upto and including 25 HP	30.00
(iv) Exceeding 25 HP and upto and including 50 HP	50.00
(v) Exceeding 50 HP and upto and including 100 HP	80.00
(vi) Exceeding 100 HP	100.00

SCALE “B”

Generating Stations

1. For inspection, examination or testing made in pursuance of IE Rules of any generating unit, switchgear panels, bus ducts and/or cables etc. on any generating station or any other place, in which energy is, or is about to be generated at a pressure of hundred volts or more. The fees to be levied is as shown below:—

2. For each generating unit along with mountings on the generator the fees shall be as follows :

Capacity of the generating unit installed in KW	Fee (Rs.)
1	2
(i) Upto and including 25 KW	50.00
(ii) Exceeding 25 KW but not exceeding 100 KW	150.00
(iii) Exceeding 100 KW but not exceeding 500 KW	300.00
(iv) Exceeding 500 KW but not exceeding 1000 KW	500.00
(v) Exceeding 1000 KW but not exceeding 10000 KW	1000.00

1	2
(vi) Exceeding 10000 KW but not exceeding 50000 KW	1500.00
(vii) Exceeding 50000 KW but not exceeding 200000 KW	2000.00
(viii) Exceeding 200000 KW but not exceeding 500,000 KW	3000.00
(ix) For each additional 100,000 KW or part thereof	1000.00

Note: Provided if the excitor is grouted separately then separate fee shall be payable and the same shall be as for a motor installation.

3. Bus ducts and/or cables connecting generating unit to the switchgear.

(a) For EHV/HV	Rs. 50.00
(b) For MV	Rs. 20.00

4. The control panel of each generating unit:—

(a) For EHV/HV	Rs. 50.00
(b) For MV	Rs. 20.00

5. Each motor installation for controlling auxiliaries along with its control gear As per Scale 'A'

6. One block of distribution panels with continuous bus:	
(a) For EHV/HV	Rs. 50.00
(b) For MV	Rs. 20.00

7. Cables connecting the power house to the switch-gear or the overhead line as the case may be:—

(a) For EHV/HV	Rs. 50.00
(b) For MV	Rs. 20.00

8. Each transformer in a power station either in station service or in distribution—whether step-up or step-down.— As per scale 'C-2'

9. Outgoing cables from a transformer to the Switchgear:	
(a) For EHV /HV	Rs. 50.00
(b) For MV	Rs. 20.00

10. Outdoor switchyard.... As per Scale 'C'

11. G.O. Switches and the connecting bus links in case of a small outdoor transformer installation in a generating station— Rs. 20.00.

SCALE 'C'

Grid Substation/Outdoor Switchyard

(66 KV and above)

1. For inspection, examination or testing in pursuance to IE Rules of any transformer, cables, control gear and other electrical equipment and/or overhead buses in a grid substation, outdoor switchyard in a generating station or in any other place in which energy is or is about to be transformed, used, or distributed, the fee shall be levied as per scale given below:—

2. For each transformer unit in a grid substation or outdoor switchyard, the scale of fee shall be as given in the following table:—

Capacity of each transformer unit	Fee (Rs.)
1	2
(i) Upto and including 100 KVA	50.00
(ii) Exceeding 100 KVA but not exceeding 500 KVA	100.00
(iii) Exceeding 500 KVA but not exceeding 1000 KVA	200.00
(iv) Exceeding 1000 KVA but not exceeding 5000 KVA	300.00

(v) Exceeding 5000 KVA but not exceeding 10000 KVA	500.00
(vi) Exceeding 10000 KVA but not exceeding 20000 KVA	750.00
(vii) For each addl. 10000 KVA or part thereof	100.00

3. Each block of panels in a control room or the grid substation Rs. 10.00 per cubicle

4. The battery room installation like rectified battery charges etc. Rs. 100.00 per battery room

5. One block of MV distribution panels or switches Rs. 50.00

6. Synchronous condensors As per table above.

7. One bank of capacitors Rs. 100.00

8. Each motor running a machine As per scale 'A'.

9. Each set of lightning arrestors, CTs, PTs, CVTs, and coupling capacitors Rs. 50.00 for each set

10. Each set of buses inclusive of its isolators (a) Rs. 50.00 per set

11. Each set of EHV isolators (a) for 200 KV and above —Rs. 100.00 per set

(b) for below 200 KV- Rs. 50.00 per set

12. Each set of OCBs along with its associated equipment (a) for EHV Rs. 200.00 (b) for HV Rs. 100.00

Note: 1. Cables used for protection to be treated as part of switch gear and no fees are payable separately for them.

2. The inspection fees shall be payable by the owner of the installations or his authorised agent.

SCALE 'D'

Distribution Sub-Stations

(3/11 KV, 33/.416 KV, 11/.416 KV)

1. For inspection, examination or testing in pursuance of IE Rules, of a distribution substation inclusive of control panels, isolating switches, bus bars etc. the fee to be levied shall be as follows:—

2. Incoming pole structure having no transformer but including GO switches, drop-out fuses and lightning arrestors.

(a) Fee for medium voltage Rs. 55.00

(b) Fee for high voltage upto and including 11 KV Rs. 100.00

(c) Fee for high voltage exceeding 11 KV Rs. 200.00

3. The transformer in the substation as per Scale. 'C-2'

4. One block of control panels with circuit breakers and with continuous bus.... Rs. 10.00 per panel

5. HT Cables connecting the pole structure with the transformer.... Rs. 50.00

6. In case of indoor substation cable from the pole structure to the control panels Rs. 50.00

7. A set of control panels	Rs. 50.00
8. Cables going from the control panels to the transformer	Rs. 50.00
9. Each distribution box controlling more than one feeder	Rs. 20.00/box
10. Cables from MV switch board to the outgoing overhead line	Rs. 10.00/cable

NOTE:

1. In case of pole mounted substation, fee is to be calculated in terms of items 2, 3, and 9 only.
2. For any addition or alteration in respect of incoming pole structure alongwith its associated equipments, fee payable is half of what has been specified in 2a, 2b and 2c.
3. The fee shall be payable by the owner or by his authorised agent.

SCALE 'E'

1. For an inspection, examination or test of the enclosure the cinematograph apparatus as per cinematograph rules and any other electric installation, appliance or apparatus in any place of public entertainment :

Rs.

I. For the initial inspection, examination or test of any electric-installation, appliance or apparatus in a cinema or a theatre other than a travelling cinema or other temporary place of public entertainment referred to in clause (IV) 200.00

II. For every subsequent annual inspection, examination or test of the installation, appliance or apparatus, in cinemas or theatres referred to in clause (I) 100.00

III. For an inspection, examination or test of an authorised addition or alteration to the electric installation in cinema or a theatre referred to in clause (I) 20.00

IV. (a) For an inspection, examination or testing of any electric installation, appliance or apparatus in a travelling cinema or other temporary place of public entertainment 100.00

(b) For every subsequent inspection, examination or testing of any electric installation, appliance or apparatus in such cinema or place of public entertainment periodical or necessitated on account of change of place of premises 50.00

V. For an inspection, examination or testing of electric installation, appliance or apparatus in a travelling or temporary cinema or other temporary place of public entertainment necessitated on account of a change of installation, appliance or apparatus so as to conform to the rules and regulations for permanent places of public amusement. 100.00

2. For Airconditioned cinema fees to be charged as per above scale plus each motor to be charged as per scale 'A'.

3. The fee shall be paid by the owner.

**SCALE 'F'
Plants and Factories**

1. For inspection, examination or testing of any electrical installation, appliance or apparatus in pursuance of I.E. Rules, 1956 (other than generating station or grid substation or a distribution substation) for which a separate fee will be charged under scales B-2, C-2 and D-2 for a factory within the meaning of the Factories Act, 1948 (63 of 1948) to which the energy is supplied by a licensee or in which energy is generated.

Fee (Rs.)

(i) For lighting or purposes other than power provided that no fee under this item shall be charged in respect of electrical installation, appliance or apparatus in any factory which does not come under the purview of the Factories Act, 1948 (63 of 1948).	Rs. 10/KW of connected load or part thereof subject to a max. of Rs. 100.00
(Provided that each separate building or shed in a factory or workshop within the factory premises shall be treated as one unit for determining the connected load).	
(ii) For each motor with starter	As per scale 'A'
(iii) Distribution system for supplying power to more than one motor	Rs. 10.00
(iv) For generating stations, grid substations or distribution substation in which energy is, or is about to be generated or transformed or distributed	As per scales 'B' to 'D'
(v) For overhead travelling cranes :	
(a) Main switch board, rails and cabins	Rs. 100.00
(b) Motor unit	As per scale 'A'

SCALE 'G'**Power Supply to Consumers**

1. For inspection, examination or testing of electrical installation, apparatus, control gear etc., in pursuance of I.E. Rules, 1956, for supply to consumers, the fees shall be levied as follows:—

Fee (Rs.)

2. EHV Power Supply to Consumers :

For inspection of power supply lines to the EHV consumers and the sub-stations, the fee to be charged shall be as per scale 'I' and Scale 'C' as may be applicable.

3. Power supply to HV consumers :

The incoming structure to be charged as per Scale laid down under scale 'D' and if the substation is to be put up at the consumer's premises, the fees will be as per Scale 'C'. The charge for inspection fee for lines/cables will be as laid down in Scale 'I'.

4. Power Supply to MV Consumers:

For medium voltage or low voltage service connections 10.00

5. Multi-storeyed buildings:—

(a) fee for each MV distribution board 10.00

(b) lighting/fan/load: 10.00

Rs. 10.00 per KW connected load or part thereof.

(c) in case of lifts, the fee to be levied shall be as follows:

(a) Controlling panels/boards	50.00
(b) Motor unit	As per Scale 'A'

6. All India Radio/Doordarshan :

In case of AIR/Doordarshan the fee to be levied shall be as follows :—

(a) each transmitter panel	100.00 per panel
(b) receiving station	50.00 (Minimum)

7.X-Ray Plants :

Fee to be levied on inspection of X-Ray plants shall be as follows :—

First LO KVA	30.00 Plus Rs. 5 for each KVA in excess thereof
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8. Neon-signs :

The fee to be levied for inspection of neon-signs shall be

Minimum upto 400 KVA	Rs. 50
Plus Rs. 5 per KVA or part thereof in excess	

SCALE 'H'

Towers and Crossings

1. For inspection, examination or testing of towers, crossings of aerial lines comprising of bare conductors, towers and crossings over a telegraph/telephone or other aerial lines etc. :

(a) each tower in an EHV line (66 KV & above)	50.00/lower
(b) each crossing, road crossing, crossing over P & T line and other power lines, river crossing or crossing over buildings.	EHV/HV line Rs. 50 per crossing MV line Rs. 10 crossing

NOTE : The fee shall be paid by the person whose line is erected later.

SCALE 'I'

Aerial Lines and Cables

1. For inspection, examination or testing of overhead lines, Tee off points, sectionalising points or transportation points in pursuance of I. E. Rules, 1956 the fee to be levied shall be as follows :

FEE (Rs.)

2. (i) EHV aerial lines or cables (above 33 KV)	Rs. 50.00 per 5 Kms. of circuit length or part thereof
(ii) For HV aerial lines or cables at voltage below 33 KV	Rs. 30.00 per 5 Kms. of circuit length or part thereof
(iii) Overhead aerial lines or cables of medium and low voltage	Rs. 20 per 5 Kms. of circuit length or part thereof

3. Tee off point, transposition and sectionalising points :

(a) HV	Rs. 20 per point
(b) MV	Rs. 10 per point

4. Booster and capacitors banks : Rs. 20

NOTE : (1) Double circuit lines to be treated on the basis of single circuit lines only.

(2) The fee shall be paid by the owner of the line or the licensee as the case may be.

SCALE 'J'

1. For an inspection or issue of certificate under sub-rule (3) of rule 82 of the Indian Electricity Rules, 1956 Fee (Rs) 50.00

2. The fee shall be paid by the person who proposes either to erect a new building or structure or to make any temporary addition or alteration in or upon any building or a structure.

SCALE 'K'

1. For an inspection or examination of any electric traction system, including trolley wires and overhead equipment and test of bonding and leakage currents.

Rs. 100 a day or part thereof.

2. The fee shall be paid by the licensee or the owner of the electric traction system, as the case may be.

SCALE 'L'

1. For testing and giving a decision on the accuracy of meters and other apparatus under sub-section (6) and (7) of section 26 of the Indian Electricity Act, 1910 (9 of 1910) :

For testing in laboratory a meter of description :—

(i) upto and including a capacity of 50 amps : for low pressure installations	15.00
for medium pressure installations	20.00
for high pressure installations	25.00
(ii) for a capacity exceeding 50 amps., but not exceeding 200 amps : for low pressure installations	20.00
for medium pressure installations	25.00
for high pressure installations	30.00
(iii) For a capacity exceeding 200 amps : for low pressure installations	35.00
for medium pressure installations	40.00
for high pressure installations	50.00

NOTE: (1) the licensee shall deliver the disputed meter in the Inspectorate Laboratory at his own cost and receive back the same from there.

(2) The licensee or the consumer requiring the meter to be tested on site shall have to pay in advance the TA charges for the Inspecting Officer.

(3) The test will be undertaken only of such meters for which facilities will be available in the said Inspectorate. In other cases if arrangement be possible elsewhere, actual expenses in addition to the prescribed fee shall have to be borne.

(2) The fees shall be paid in advance by the party referring the case, but the Electrical Inspector or any other officer appointed to assist the Electrical Inspector shall decide under Rule 8 of the Indian Electricity Rules, 1956, by whom such fee, T.A. charges and the expenses incurred in delivering and taking back the meter shall be borne.

NOTE: In deciding the capacity of meters and other apparatus for the purpose of clause(1) of scale 'L' the capacities shall be reckoned as those of the shunts or the primary sides of the current transformers wherever these are used with the meters of other apparatus.

SCALE 'M'

1. For an inspection, examination or test of any main, distribution mains or service line internal wiring of medium and high voltage for the discovery of leakage therein which may result in electrolysis or other injury to any water, gas or other pipe or any appliance connected therewith.

Rs. 40.00 for the first hour or part thereof & thereafter Rs. 20 per hour or part thereof.

2. If any leakage is discovered in any such main distributing main, or service line, the fee shall be paid by the licensee or the owner of the main, distributing main, or service lines as the case may be.

3. If no leakage is discovered, the fee shall be paid by the owner of the water, gas or other pipe or of the appliance connected therewith.

SCALE 'N'

1. For the testing of an installation Rs. 10.00 for leakage to earth.

2. The fee shall be paid by the Party Rs. 12 making such application.

SCALE 'O'

1. For localising of leakage to earth in any installation.

Rs. 10 for the first hour or part thereof and thereafter Rs. 5 per hour or part thereof.

2. The fee shall be paid by the party making the application.

SCALE 'P'

1. For deciding any case of difference or dispute arising under section 21(4), 26(4) or 26(6) of, or clause V(2) or VI(3) of the Schedule to the Indian Electricity Act, 1910(9 of 1910), referred to the Inspector.

Rs. 50 per decision subject to notes below.

2. The fee shall be paid in advance by the party referring the dispute, but will be borne finally by the person against whom the decision is given :

Provided that in the case of difference or dispute referred to the Electrical Inspector for being decided under Section 26(6) of the said Act, an additional fee for the testing of a meter in accordance with Scale 'L' shall be recoverable.

3. The fee shall be chargeable in respect of each hearing and each inspection necessitated in this connection .

SCALE 'Q'

1. For any inspection, examination or test not provided for in any of the foregoing Scales, the Electrical Inspector or any officer appointed to assist the Electrical Inspector, as the case may be, shall recommend to the Central Government such fee as he considers reasonable and proper in the circumstances.

2. For any inspection, examination or test not provided for in any of the foregoing scales, the Central Govt. may levy such fee for the services of the Electrical Inspector or any officer appointed to assist the Electrical Inspector as it may by special order direct.

3. The said fee shall be paid by the owner of the apparatus inspected, examined or tested or by the party which requisition the services of the Electrical Inspector or any officer appointed to assist the Electrical Inspector for such inspection, examination or test.

[No. 25/4/80-Desk-I]

KAMALAKAR MISHRA, Jt. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 12 फरवरी, 1981

S.O. 702.—भारतीय आयुक्तिकान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा 2 हारा प्रवरूप शक्तियों का प्रयोग करते हुए केंद्रीय मरकार भारतीय आयुक्तिकान परिषद् से परामर्श लेने के पश्चात् उक्त अधिनियम की प्रयत्न अनुमूली में निम्न-लिखित और गंभीरता कर्त्ता है, अर्थात् :—

उक्त अनुमूली में अन्त में निम्नलिखित प्रविधियाँ जोड़ी जाएं, अर्थात् :—

"मणिपुर विण्विद्यालय बैचलर आफ मेडिसिन एम. बी. बी. एम. एच. बैचलर आफ मर्जी

यदि यह अहंता 30 अप्रैल, 1982 से पहले प्रवाल की गई हो तो वह इस अनुमूली के अधीन एक मान्यताप्राप्त चिकित्सा अर्हता होगी"।

[स० बी० 11015/3/80-एम० ई० (पी०)]

रविवार, भ्रवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 12th February, 1981

S. O. 702.—In exercise of the powers conferred by sub-section 2 of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule the following entries shall be added at the end, namely :—

"Manipur University Bachelor of Medicine and M.B.B.S.
Bachelor of Surgery.

This qualification shall be a recognised medical qualification under this Schedule when granted before the 30th April, 1982".

[No. V. 11015/3/80-M.E. (Policy)]

RAVI DATT, Under Secy.

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 7 फरवरी, 1981

का० खा० 703.—यह केन्द्रीय सरकार का यह अधिसत है कि भारत में खेतों के संरक्षण और विकास के लिए यह आवश्यक है कि निम्नलिखित सारणी के कालम (2) से (5) में उल्लिखित खेतों में या खेतों के अंतर्गत उपलब्ध किसी खनिज के बारे में यथा-संभव सही जानकारी प्राप्त की जाए :

और, यह कथित खेतों के बारे में गोआ, दमन और दिल्ली सरकार द्वारा खनन पट्टे स्थीकृत किए गए हैं :

यह घब, खान और खनिज (विनियमन और विकास) अधिनियम, 1957 (1957 का 67) की धारा 18ए की उप-धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए, केन्द्र सरकार कथित धारा 18ए की उप-धारा (1) के परस्तुक की अपेक्षाओं के प्रत्युत्तर गोआ, दमन और दिल्ली सरकार से परामर्श के बाद, आरनीय भूवैज्ञानिक सर्वेक्षण को कथित सारणी में उल्लिखित खेतों में यथा-आवश्यक जानकारी प्राप्त करने के उद्देश्य से एवं द्वारा आपको खोज करने के लिए प्राप्तिकृत करती है।

सारणी

क्रम संख्या सं०	मानकित संख्या	टाइपल संख्या	लेव्र (हेक्टेयर्स)	ग्राम		तालुक	स्थानिक	7
				1	2			
I. बजारी गणजोहर								
1.	500	11.4.56 का 13	69.7385	ऊजोरिम	बेरमोम		न्यू. इंडिया मार्शिनग कारपोरेशन आफ जाम्बे ।	
2.	612	10.2.58 का 12	99.95	दरगालिम	बेरमोम		मीना गाम आत्मा राम नैगुर्ड आफ मपूसा ।	
II. सतकबेलिम चारापुर								
3.	448	2.4.55 का 9	33.09	मठलिंगे	बिचोनिम		मोसीदादे माइनर्स गोण्डा लिं० आफ पंजिम	
4.	370	30.10.53 का 117	64.326	मठलिंगे	बिचोनिम		अमतानाल ब्रेमचन्द गोष्ठी आफ मंडगांव	
5.	510	2.5.56 का 23	24.60	कारापुर	बिचोनिम		रघुशीर एन० सोटलिकार आफ मंडगांव	
6.	807	3/का० 69	29.32	कारापुर	बिचोलिम		चिपरियांगो डी गङ्गा आफ सेंक्वेलिम	
7.	842		18.30	माथलिंगे	बिचोलिम		मसमं ओगले एंड कंपनी ।	
8.	557	20.5.57 का 18	57.90	कारापुर	बिचोलिम		मोसीदादा टिम्बली लिमिटेड आफ मंडगांव ।	
9.	433	15.10.54 का 37	46.72	कारापुर	बिचोनिम		मिन्गुएल संताना टी लिसूजा आफ सेंक्वेलिम ।	
III. अरवालेम लेल								
10.	283	5.5.53 का 39	85.85	अरवालेम	बिचोलिम		लाखराज नव्यरपल आफ पंजिम ।	
IV. सुरला-बाले प्लाटेसू								
11.	359	16.10.63 का 106	89.00	सुरला	बिचोलिम		बिश्वास राव डी ओगले आफ बासको ई-गामा ।	
12.	360	16.10.63 का 107	76.859	सुरला	बिचोलिम		लिश्वास राव डी ओगले आफ बासको ई-गामा ।	
13.	393	18.12.53 का 140	46.66	सुरला	बिचोलिम		मोसीदादे टिम्बली ईरमोस आफ बारगोओ (टिम्बली प्रायवेट लिमिटेड) ।	
14.	670	28.11.58 का 74	98.36	नवेलिम	बिचोलिम		जी० एन० अग्रवाल आफ भारगांव ।	
15.	32	18.6.51 का 47	37.9846	नवेलिम	बिचोलिम		शमकुण बोट्ट जी० सोकंडो आफ मेंक्वेलिम ।	
16.	767	29.4.60 का 17	70.6870	नवेलिम	बिचोलिम		जी० एम० डाम्पो एंड कंपनी लिमिटेड आफ गोआ ।	
17.	351	2.10.53 का 18	99.31	सुरला	बिचोलिम		सदाशिव मिनाई कोटोंडो आफ गोआ ।	
18.	277	20.2.53 का 13	88.64	सुरला	बिचोलिम		मोसीदादा टिम्बली ईरमोस लिमिटेड ।	
							(फोमोटो ईंडस्ट्रीयल प्रायवेट लिमिटेड) कर्मा टिम्बली ईरमोग लिमिटेड आफ भारगोआ (टिम्बली प्रायवेट लिमिटेड)	
19.	475	13.8.55 का 36	35.58	सुरला	बिचोलिम		मोसीदादा टिम्बली ईरमोस लिमिटेड । (फोमोटो ईंडस्ट्रीयल प्रायवेट लिमिटेड)	
20.	168	2.8.52 का 74	100.00	सुरला	बिचोलिम		फर्मा टिम्बली ईरमोस लिमिटेड आफ भारगोआ (टिम्बली प्रायवेट लिमिटेड)	
21.	334	28.8.53 का 81	32.13	बेलगुप्पा	बिचोलिम		मोसीदादे बरेवार एंड निया लिमिटेड आफ सुरला ।	
							फर्म शास्त्रियाल बुशालदास बा० आफ भारगोआ ।	

1	2	3	4	5	6	7
22.	35	27.3.50 का 17	92.36	पाने	बिचोलिम	गुस्ताम टिम्बलो आफ मंडगांव।
23.	454	13.8.55 का 35	90.70	पाले	बिचोलिम	पालुंग टिम्बलो आफ मंडगांव।
24.	276	24.4.53 का 33	78.274	मुरला	बिचोलिम	फर्म दामोदर मंगलाजी एंड सिमा लिमिटेड आफ गोप्या।
25.	441	14.1.55 का 1	29.14	मुरला	बिचोलिम	फर्म दामोदर मंगलाजी एंड सिमा लिमिटेड आफ गोप्या।
5 ध्रवे—मोनल ध्रवे						
26.	602	13.1.58 का 2	90.438	धरे	मत्तारी	जोग्याओं इूरोगे इङ्ग्रेस्टो मिथ्यरिया आफ गोप्या।
27.	604	13.1.58 का 4	100.000	मोनाल	मत्तारी	सोमीदादा मठक एंड कॉर्पोरेशन आफ वास्को।
28.	610	3.2.58 का 10	99.979	ध्रवे	मत्तारी	निलूता जगता कोनलेकार आफ गोप्या।
29.	307	12.6.53 का 54	67.40	बोडे	बिचोलिम	श्रीपाठ वी० नायक आफ बिचोलिम।
30.	357	13.10.56 का 104	51.50	बोडे	बिचोलिम	श्रीपाठ वी० नायक आफ बिचोलिम।
31.	613	24.2.58 का 13	—	लडोम	बिचोलिम	महलूमाल दामोदर।
32.	640	11.8.58 का 40	99.21	लडेम-बोर्डेम	बिचोलिम और मत्तारी	र्मा० एम० गलगांवकर।

[फा० सं० 4(4)/80-आन-6]

प्रमन्त चन्द्र, अवर मंचित

MINISTRY OF STEEL AND MINES

(Department of Mines)

New Delhi, the 7th February, 1981

S. O. 703.—Whereas the Central Government is of the opinion that for the conservation and development of minerals in India it is necessary to collect as precise information as possible with regard to any mineral available in or under the areas specified in columns (2) to (5) of the Table below :

And whereas in respect of the said areas, mining leases have been granted by the Government of Goa, Daman and Diu;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 18(A) of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government after consultation with the Government of Goa, Daman and Diu as required by the proviso to sub-section (1) of the said section 18A, hereby authorises the Geological Survey of India to carry out such detailed investigations for the purpose of obtaining such information as may be necessary in the areas specified in the said Table.

TABLE

Sl. No.	Map No.	Title No.	Area	Village	Taluk	Ownership
			(Hectares)	4	5	6
1	2	3	4	5	6	7
I. Vazri Nagjohr :						
1.	500	13 of 11-4-56	69.7385	Ozorim	Bernom	New India Mining Corporation of Bombay.
2.	612	12 of 10-2-58	99.95	Dargalim	Bernom	Sitaram Atamaram Naigue of Mapusa.
II. Sanquelim-Carapur :						
3.	448	9 of 2-4-55	33.09	Maulinge	Bicholim	Sociedade Miners Goesa Limited of Panjim.
4.	370	117 of 30-10-53	64.326	Maulinge	Bicholim	Amratlal Premchand Gandhi of Madgaon.
5.	510	23 of 2-5-56	24.60	Carapur	Bicholim	Raghuvir N. Lotlicar of Madgaon.
6.	807	3-Fe-69	29.32	Carapur	Bicholim	Cipriano De Gauza of Sanquelim.
7.	842		18.30	Mavlinge	Bicholim	Messrs. Chogule & Company.
8.	557	18 of 20-5-57	57.90	Carapur	Bicholim	Sociedade Timblo Irmos Limited of Madgaon.
9.	433	37 of 15-10-54	46.72	Carapur	Bicholim	Minguel Santana . T. Desouza of Sanquelim.

1	2	3	4	5	6	7
III. Arvalam area :						
10. 283	39 of 5-5-53	85.85	Arvalam	Bicholim	Lakhraj Nathurmal of Panjim	
IV. Surla-Bale Platesu :						
11. 359	106 of 16-10-63	89.00	Surla	Bicholim	Viswasa Rao. D. Chowgule of Vasco De-Gama.	
12. 360	107 of 16-10-63	76.859	Surla	Bicholim	Viswasa Rao. D. Chowgule of Vasco De-Gama.	
13. 393	140 of 18-12-53	46.66	Surla	Bicholim	Socidada Timblo Irmos of Margao (Timblo Private Limited).	
14. 670	74 of 28-11-58	98.36	Navelim	Bicholim	G.N. Agarwal of Margao	
15. 32	47 of 18-6-51	37.9846	Navelim	Bicholim	Ramakrishna Dottu. B. Loundo of Sanquelim.	
16. 767	17 of 29-4-60	70.6870	Navelim	Bicholim	V.S. Dampo & Company Limit- ed of Goa	
17. 351	18 of 2-10-53	99.31	Surla	Bicholim	Sadashiva Sinai Caitondo of Goa.	
18. 277	13 of 20-2-53	88.64	Surla	Bicholim	Socidada Timblo Irmos Limit- ed. (Formanto Industrial Private Li- mited).	
19. 475	36 of 13-8-55	35.58	Surla	Bicholim	Firma Timblo Irmos Limited of Margao (Timblo Private Li- mited).	
					Socidada Timblo Irmos Limit- ed. (Formonto Industrial Private Limited).	
20. 168	74 of 22-8-52	100.00	Surla	Bicholim	Firma Timblo Irmos Limited of Margao (Timblo Private Limit- ed).	
21. 334	81 of 28-8-53	32.13	Velgue	Bicholim	Socidare Verendar & Cia Limit- ed of Surla.	
22. 35	17 of 27-3-50	92.36	Palo	Bicholim	Firm Shantialal Khusaldas Bros. of Margao.	
23. 454	35 of 13-8-55	90.70	Palo	Bicholim	Gurudas Timblo of Madgaon.	
24. 276	33 of 24-4-53	78.274	Surla	Bicholim	Panduranga Timblo of Mad- gaon.	
25. 441	1 of 14-1-55	29.14	Surla	Bicholim	Firm Damodar Mangalji & Cia Limited of Goa.	
					Firm Damodar Mangalji & Cia Limited of Goa.	
V. Dhavé—Sonal Area :						
26. 602	2 of 13-1-58	90.438	Dhavé	Sattari	Joao Iuge Eduardo Sequeria of Goa.	
27. 604	4 of 13-1-58	100.000	Sonal	Sattari	Socidada Maook & Cedar of Vasco.	
28. 610	10 of 3-2-58	99.979	Dhavé	Sattari	Niloopta Jaganata conlecar of Goa.	
29. 307	54 of 12-6-53	67.40	Borde	Bicholim	Sriapda V. Naik of Bicholim.	
30. 357	104 of 16-10-53	51.50	Borde	Bicholim	Sriapda V. Naik of Bicholim.	
31. 613	13 of 24-2-58		Ladpem	Bicholim	Mahlullal Damodar	
32. 640	40 of 11-8-58	99.21	Latembercem	Bicholim & Sattari	V.M. Salgaoncar.	

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 30 जनवरी, 1981

का० आ० 704.—केन्द्रीय भरकार बन्ध प्राणि (संरक्षण) अधिनियम, 1972 (1972 का 53) की धारा 3 की उप-धारा (1) द्वारा प्रदल शक्तियों का प्रयोग करते हुए एकद्वारा श्री विलमन पी. तुराहीजा को श्री के० विश्वनाथन के स्थान पर सहायक निदेशक, बन्ध प्राणि संरक्षण के पद पर नियुक्त करती है।

[सं० 1-2/81-वानिकी (बन्ध प्राणि)]

ममर सिंह, निदेशक, बन्ध प्राणि संरक्षण

MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation)

New Delhi, the 30th January, 1981

S.O. 704. In exercise of the powers conferred by sub-section (i) of section 3 of the Wildlife (P) Act, 1972 (53 of 1972) the Central Government hereby appoints Shri Wilson, P. Durairaj, as Assistant Director of Wildlife Preservation in place of Shri K. Viswanathan.

[No. 1-2/81-FRY (WL)]

SAMAR SINGH, Director, Wild Life Preservation

हिंदूकार्ह मंत्रालय

नई दिल्ली, 9 फरवरी, 1981

का० आ० 705.—राष्ट्रपति, केन्द्रीय मिशन सेवा (वर्गीकरण, नियन्त्रण और अपील) नियम, 1965 के नियम 9 के उपनियम(2), नियम 12 के, उपनियम (2) के छठे (छ) और नियम 34 के दाय पठित नियम 24 के उपनियम (1) द्वारा प्रदल शक्तियों का प्रयोग करते हुए, भारत गवर्नर के भूत्यूपक हृषि मंत्रालय की अधिसूचना सं० का० निय० 634-क, नारीश 28 फरवरी, 1957 का निम्नलिखित और संशोधन करते हैं, अधिकृत:—

उक्त अधिसूचना की अनुसूची में,—

(क) "केन्द्रीय भूमिगत जल बोर्ड" उपरीवंक के नीचे साधारण केन्द्रीय सेवा वर्ग II से संबंधित भाग 1 में, विभागन प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएँगी, अधिकृत:—

पद का वर्णन

नियुक्ति प्राधिकारी शक्तियों प्रधिरोपित करने के लिए सक्षम प्राधिकारी और उसके द्वारा प्रधिरोपित की जाने वाली शक्तियों (नियम 11 में की गई मद संक्याओं के प्रति निर्देश से)

प्राधिकारी शक्तिया

1 2 3 4

"जल भू विभाग संबंधी छांट"

1. सहायक जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
2. सहायक भू भौतिकी	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी

1	2	3	4
3. कनिष्ठ जल वै-वैज्ञानिक	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
4. सहायक रसायनका वैज्ञानिक	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
5. कूप लागिंग तक-दीकी	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
6. सहायक भूमि रसायनका वैज्ञानिक	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
7. प्रधिकारी सर्वेक्षक	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
8. सहायक कलाकार	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
9. उपेष्ठ माम चिक्कारा	मुख्य जल भू वैज्ञानिक	मुख्य जल भू वैज्ञानिक	सभी
इंजीनियरी छांट			
10. वेष्टक (डिलर)	मुख्य इंजीनियर	मुख्य इंजीनियर	सभी
11. भारतीय वेष्टक	मुख्य इंजीनियर	मुख्य इंजीनियर	सभी
12. सहायक इंजीनियर	मुख्य इंजीनियर	मुख्य इंजीनियर	सभी
13. भंडार प्रधिकारी	मुख्य इंजीनियर	मुख्य इंजीनियर	सभी
प्रशासन छांट			
14. प्रशासन प्रधिकारी	मुख्य जल भू वैज्ञानिक/मुख्य इंजीनियर (जो भी विभागाध्यक्ष हो)	मुख्य जल भू वैज्ञानिक/मुख्य इंजीनियर (जो भी विभागाध्यक्ष हो)	सभी
15. सहायक प्रशासन प्रधिकारी	मुख्य जल भू वैज्ञानिक/मुख्य इंजीनियर (जो भी विभागाध्यक्ष हो)	मुख्य जल भू वैज्ञानिक/मुख्य इंजीनियर (जो भी विभागाध्यक्ष हो)	सभी

(ख) साधारण केन्द्रीय सेवा, वर्ग III और वर्ग IV से संबंधित भाग II और भाग III में उपरीवंक "केन्द्रीय भूमिगत जल बोर्ड" और उसके नीचे की प्रविष्टियों का सोप किया जाएगा।

[सं० 25-55/79-एम आई (ए)]

के० एम० बहूदा, उप सचिव

MINISTRY OF IRRIGATION

New Delhi, the 9th February, 1981

S. O. 705.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of Government of India in the erstwhile Ministry of Agriculture, No. S.R.O. 634-A dated the 28th February, 1957 namely:—

In the Schedule to the said notification,

(a) in part I relating to General Central Service, Class II, under the sub-heading "Central Ground Water Board

for existing entries the following entries shall be substituted, namely:—

Description of post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 11)	Penalties
1	2	3	4
"Hydrogeological Wing			
1. Assistant Hydrogeologist	Chief Hydrogeologist	Chief Hydrogeologist	All
2. Assistant Geophysicist	-do-	-do-	All
3. Junior Hydrologist	-do-	-do-	All
4. Assistant Chemist	-do-	-do-	All
5. Well Logging Technician	-do-	-do-	All
6. Assistant Soil Chemist	-do-	-do-	All
7. Office Surveyor	-do-	-do-	All
8. Assistant Artist	-do-	-do-	All
9. Senior Cartographer	-do-	-do-	All
Engineering Wing			
10. Driller	Chief Engineer	Chief Engineer	All
11. Driller-in-Charge	-do-	-do-	All
12. Assistant Engineer	-do-	-do-	All
13. Store Officer	-do-	-do-	All
Administrative Wing :			
14. Administrative Officer	Chief Hydrogeologist/Chief Engineer (whosoever be the Head of the Department)	Chief Hydrogeologist/Chief Engineer (whosoever be the Head of the Department)	All
15. Assistant Administrative Officer	-do-	-do-	All"

(b) in part II and Part III relating to General Central Service Class III and Class IV, respectively, the sub-heading "Central Ground Water Board", and entries occurring thereunder shall be omitted.

[No. 25-55/79-MI(A)]
K. M. CHADHA, Dy. Secy.

नौजवान और परिवहन मंत्रालय

(परिवहन पक्ष)

नई रिली, 11 फरवरी, 1981

का० आ० 706.—रिली परिवहन नियम (सबस्य) नियम, 1973 के नियम 3 के साथ पठित सङ्क परिवहन नियम अधिनियम, 1950 (1950 का 64) की धारा 5 की उपधारा (1) धारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय मंत्रालय, रिली के अतिरिक्त पुलिस आयुक्त श्री एन०क० मिशन को 11-2-1981 से दिल्ली परिवहन नियम का

सबस्य प्रियुक्त करती है और मारत मंत्रालय की नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० स० आ० 238(ई) दिनांक 1-5-1979 में निम्नलिखित श्रीरामेश्वरन करती है, अर्थात्:—

उक्त अधिसूचना में, पैग 1 में, मद (V) की प्रविष्टि के स्थान पर शब्द "श्री एन०क० मिशन, अतिरिक्त पुलिस आयुक्त, दिल्ली" रखा जाए।

[का०सं०टी जी डी(91)/79]

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 11th February, 1981

S.O. 706.—In exercise of the powers conferred by sub-section (1) of section 5 of the Road Transport Corporations Act, 1950 (64 of 1950), read with rule 3 of the Delhi Transport Corporation (Member) Rules, 1973, the Central Government hereby appoints Shri N. K. Singhal, Additional Commissioner of Police, Delhi, as a member of the Delhi Transport Corporation with effect from 11th February, 1981 and makes the following further amendments in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. S.O. 238(E), dated the 1st May, 1979, namely:—

In the said notification, in paragraph 1, for the entry against item (v), the words "Shri N. K. Singhal, Additional Commissioner of Police, Delhi", shall be substituted.

[File No. TGD(91)/79]

नई रिली, 12 फरवरी, 1981

का०आ० 707.—मोटर गाड़ी (तृतीय पक्ष बीमा) नियम, 1946 में संशोधन करने के लिए निम्नलिखित नियम का प्राप्त, जिसे केन्द्रीय सरकार गाड़ी अधिनियम, 1939 (1939 का 4) की धारा III धारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 133 का उपधारा (1) धारा रथारेक्षित उन राधी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है जिनके हमसे प्रगतिशील होने की संभावना है और एतद्वारा नीटिस विद्या जाता है कि जिस गणपत्र में उक्त प्राप्त नियम छपे हों उस राजपत्र की प्रतियोगिता जिस तारीख को आम जनता के लिए समन्बन्ध कराई जाए, उस तारीख से पैंतालीस दिनों के बाद उक्त प्राप्त पर यिचार किया जाए।

उक्त प्राप्त के बारे में ऊपर नियष्ट तारीख से पहले यदि किसी व्यक्ति से कोई सुझाव या आशेष प्राप्त होता है तो केन्द्रीय मंत्रालय उस पर यिचार करेग।

नियमों का प्राप्त

1. (1) इन नियमों का नाम मोटर गाड़ी (तृतीय पक्ष बीमा) संशोधन नियम, 1981 है।

(2) ये सरकारी राजपत्र में प्रकाशन की तारीख को प्रृथक होंगे।

2. मोटर गाड़ी (तृतीय पक्ष बीमा) नियम, 1946 के नियम 15 बी में—

(क) उप नियम (1) में शब्द 'एक लाख' के स्थान पर शब्द 'पाँच लाख' रखे जाएं।

(ख) उप नियम (2) में शब्द 'प्रति अंक '100 रु' के स्थान पर शब्द 'प्रति अंक '200 रु' रखे जाएं।

(ग) परन्तु शब्द 'प्रति उपनियम (3) में शब्द 'प्रति अंक 'बाहर लाख रुपये या 1500/- रु' जहाँ कहीं भी हो, उनके स्थान पर 'दीन लाख रुपये या दो हजार पाँच सौ रुपये' रखे जाएं।

[ज०टी०ड०टी जी एम(44)/79]

बी० आ० चृष्ण॑, उप अधिकारी

New Delhi, the 12th February, 1981

S.O. 707.—The following draft rules further to amend the Motor Vehicles (Third Party Insurance) Rules, 1946, which the Central Government proposes to make in exercise of the powers conferred by section 111 of the Motor Vehicles Act, 1939 (4 of 1939) are hereby published as required by sub-section (1) of section 133 of the said Act for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration after the expiry of the fortyfive days from the date on which the Gazette copies containing the said draft rules are made available to the general public.

Any objections or suggestions, which may be received from any person with respect to the said draft rules before the date specified above, will be considered by the Central Government.

DRAFT RULES

1. (1) These rules may be called the Motor Vehicles (Third party Insurance) Amendment Rules, 1981

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 15B of the Motor Vehicles (Third Party Insurance) Rules, 1946,—

- (a) in sub-rule (1), for the words "one lakh", the words "five lakhs" shall be substituted;
- (b) in sub-rule (2), for the letters and figures "Rs. 100/-", the letters and figures "Rs. 200/-" shall be substituted;
- (c) in sub-rule (3), and the proviso, for the words, letters and figures "rupees twelve lakhs or Rs. 1500/-" wherever they occur, the words "rupees twenty lakhs or rupees two thousand five hundred" shall be substituted.

[No. TW/TGM(44)/79]

B. R. CHAVAN, Dy. Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 11 फरवरी, 1981

का० आ० 798 —भलचित्र अधिनियम, 1952 की धारा 5(1) और चलचित्र (संसर) नियम, 1958 के नियम 9 के उप-नियम(1) के साथ पठित नियम 8 के उप-नियम(3) द्वाग प्रदत्त भक्तियों का प्रयोग करते हुए और इस बारे में पहले को अधिसूचनाओं के अधिकमण में, केन्द्रीय सरकार एवं छात्रावादी नियमनियित भक्तियों को अगले प्रायोग तक, फिल्म में सर जोड़ के कलकत्ता सनाहिकार पैनल का भवस्य नियुक्त करती है :—

1. डा० गोरी शंकर घट्टाचार्य जी
2. श्री मनोज्ञ रे
3. श्री याताजय कालेकर
4. श्री तथेण राय
5. श्री अनिता खोदरी
6. श्री हर्षेन पुकन
7. श्री जी०पी० ब्रह्मा
8. श्री भरत मिश्र
9. श्रीमती कृष्णा धोष
10. श्री पौ०के० महापात्र
11. श्रीमती धारती श्रीमाल
12. डा० विष्वनाथ गाय
13. श्री गणपाद नौधरी
14. श्रीमती काजल चौधरी
15. श्री निर्विलय श्रावर्य

16. श्री चितरंजन धोष
17. श्रीमती मुदेश्वरी चक्रवर्ती
18. श्री एश्वर्मल गोपालाध्याय
19. श्री प्रश्नीपत्र शंकर सेन
20. श्री भ्रमरनाथ ई
21. श्रीमती प्रतिमा मिश्र
22. श्री राईसीदीन फरीदां
23. गुरु नारदिया सिंह
24. श्री जान पालसेर
25. श्री सुनील गंगोपाध्याय
26. श्री रंजन बनर्जी,
27. श्री भूदेव शंकर
28. श्री मिहिर सेन
29. श्री जै०के० शाराफ

[फाइल सं० 811/8/80-एफ(सी)]
मुरेश्वर कुमार शर्मा, निदेशक (फिल्म)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 11th February, 1981

S.O. 708.—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and Sub-rule (3) of Rule 8 read with Sub-rule (1) of Rule 9 of the Cinematograph (Censorship) Rules, 1958, and in supersession of earlier Notifications in this regard, the Central Government hereby appoints the following persons as Members of the Advisory Panel of the Board of Film Censors at Calcutta with immediate effect until further orders :—

1. Dr. Gauri Shankar Bhattacharjee
2. Shri Manindra Ray
3. Shri Ranajoy Kalekar
4. Shri Tarun Roy
5. Shri Amitabha Chaudhary
6. Shri Hiren Phukan
7. Shri G. P. Barua
8. Shri Sarat Mishra
9. Smt. Krishna Ghosh
10. Shri P. K. Mahapatra
11. Smt. Arati Srimal
12. Dr. Biswanath Roy
13. Shri Ramapada Chaudhuri
14. Smt. Kajal Chaudhuri
15. Shri Nirmalya Acharya
16. Shri Chittaranjan Ghose
17. Mrs. Sudesha Chakravarti
18. Shri Shyamal Gangopadhyay
19. Shri Pradipta Sankar Sen
20. Shri Amarnath Dey
21. Smt. Pratima Misra
22. Shri Raisuddin Faridi
23. Guru Nadia Singh
24. Shri John Palmer
25. Shri Sunil Gangopadhyay
26. Shri Ranjan Banerjee
27. Shri Bhudeb Shankar
28. Shri Mihir Sen
29. Shri J. K. Saraf.

[F No. 811/8/80-F(C)]

S. K. SHARMA, Director (Films)

पूर्णी और पुर्वांस मंत्रालय

(पुर्वांस विभाग)

नई दिल्ली, 3 फरवरी, 1981

का० आ० 709 —विस्थापित अक्षिम (प्रतिक्रिय तथा पुर्वांस) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वाग प्रबल भक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार द्वारा, जिला पुर्वांस अधिकारी, अनवर और भरतपुर को अनिक्रिय घोषित आयोजन

के रूप में नियुक्त करने के लिए, जारी की गई प्रधिकरण संख्या 1(2)/वि०से०/78-एस०एस०-11, विनांक 25 अगस्त, 1980 को इसके द्वारा तत्काल प्रभाव से रद्द किया जाता है।

[संख्या-1(2)/वि०से०/78—एस०एस०—11]

एन०एम० बाधवानी, अबर सचिव

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

New Delhi, the 3rd February, 1981

S.O. 709.—Notification No. 1(2)/Spl. Cell/78-SS. II, dated the 25th August, 1980, regarding appointment of District Rehabilitation Officers, Alwar and Bharatpur, as Additional Settlement Commissioners issued in exercise of the powers conferred on the Central Government by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) is hereby cancelled with immediate effect.

[No. 1(2)/Spl. Cell/78-SS. II]

N. M. WADHWANI, Under Secy.

संचार मंत्रालय

(आम तारीखों)

नई विल्ही, 18 फरवरी, 1981

का० आ० 710.—स्थायी भावेश संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय नार नियम, 1951 के नियम 434 के खंड III के पैराग्राफ (क) के अनुसार जाक-तार महानिवेशक ने कीलापारी टेलीफोन केन्द्र में दिनांक 1-3-81 से प्रभागित कर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/81-पी एच बी]

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 18th February, 1981

S.O. 710.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-3-1981 as the date on which the Measured Rate System will be introduced in Makrana Telephone Exchange, Rajasthan Circle.

[No. 5-8/81-PHB.]

का० आ० 711.—स्थायी भावेश संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय नार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार जाक-तार महानिवेशक ने कीलापारी टेलीफोन केन्द्र में दिनांक 1-3-81 से प्रभागित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-9/81-(पी एच बी)]

आर० सी० कटारिया, सहायक महानिवेशक, (पी एच बी)

S.O. 711.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-3-1981 as the date on which the Measured Rate System will be introduced in Killapardi Telephone Exchange, Gujarat Circle.

[No. 5-9/81-PHB.]

R. C. KATARIA, Asstt. Director General (PHB)

अमृतसर

भावेश

नई विल्ही, 19 दिसम्बर, 1980

का० आ० 712.—इससे उपर्युक्त अनुसूची में विनिर्दिष्ट औद्योगिक विवाद आर०सी० इसरानी पीठासीन प्रधिकारी, औद्योगिक प्रधिकरण, प्रहमवाचाद के समझ लंबित हैं;

और श्री आर० सी० इसरानी की सेवाएँ इब उपलब्ध नहीं रही हैं;

अतः, आबू, केंद्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) द्वारा 33-व्य की उपकारा (1) के साथ पठित वारा के द्वारा प्रदत्त पक्षियों का प्रयोग करते हुए, एक औद्योगिक प्रधिकरण गठित करती है, जिसके पीठासीन प्रधिकारी श्री जी० एस० बरोदा हैं, जिनका मुख्यालय प्रहमदव्याप में होता है और उसके श्री इसरानी, पीठासीन प्रधिकारी, औद्योगिक प्रधिकरण, प्रहमवाचाद के समझ सम्बित उक्त विवाद के संबद्ध कार्यालयी को वापस लेती है और उसे श्री जी० एस० बरोदा, पीठासीन प्रधिकारी, औद्योगिक प्रधिकरण, प्रहमवाचाद को इस विवेष के साथ स्थानान्तरित करती है कि उक्त प्रधिकरण उन पर आगे कार्यवाही उस प्रक्रम से करेगा, जिस पर वे उसे स्थानान्तरित की गई है तथा विधि के अनुमार उत्का मिपाटम करेगा।

अनुसूची

क्रम संख्या संख्या आम भावेश तारीख	विषय	आम संख्या संख्या आम भावेश तारीख	
		संख्या	विषय
1	2	3	4
1. 7/75	श्रम मंत्रालय का एल- 12012/138/75-ही० 11। तारीख 20-11-1975	मेवा के पर्यावरण के विषय में भारतीय सेन्ट्रल बैंक, राज-कोट और श्री जे०एम० वेसाई, टंकक।	
2. 4/78	श्रम मंत्रालय का एल- 12012/67/77-ही० 11 बी, तारीख 17-6-1978	सेवा के पर्यावरण के विषय में भारतीय बाध निगम, प्रहमवाचाव और श्री एम० आर० राजगुरु, टंकक।	
3. 6/78	श्रम मंत्रालय का एल- 12012/138/77-ही० 11 ए, तारीख 16-9-1978	सेवाओं के पर्यावरण के विषय में भारतीय स्टेट बैंक, प्रहमवाचाव और श्री बी० एम० आ।	
4. 7/78	श्रम मंत्रालय का एल- 12012/120/77-ही०-II ए तारीख 5-10-1978	मेवाओं के पर्यावरण के विषय में बैंक प्राफ बड़ीदा, फैलोल (एन०सी०) और श्री ही० के पारीस।	
5. 8/78	श्रम मंत्रालय का एल- 12012/111/77-ही०-II ए तारीख 17-10-1978	सेवाओं के पर्यावरण के विषय में भारतीय स्टेट बैंक, प्रहम-दाचाव और कुमारी मुख्यालय श्री दोषी।	

1	2	3	4	1	2	3	4				
6. 2/79	श्रम मंत्रालय का एन- 12012/98/78-डी 11ए तारीख 16-2-1979	सेवाओं के पर्यवसान के विषय में बैंक आफ बड़ौदा, सूरत और श्री श्री०जी० देसाई, लिपिक।	14. 7/80	श्रम मंत्रालय का एन- 12012/30/79-डी 11ए तारीख 4-8-1980	कार्य के आवंटन प्रणाली के परि- वर्तन के विषय में यूनियन बैंक आफ हाइडिया, सूरत और उसके कार्यकर्ता						
7. 5/79	श्रम मंत्रालय का एन- 42011/37/78-डी 11बी तारीख 12-6-1979	कार्यकर्ताओं की जोग्यता की बाबत भार- तीय बांध नियम, नई विली और उसके कार्यकर्ता।	15. 8/80	श्रम मंत्रालय का एन- 12012/156/79-डी 11ए तारीख 3-10-80	सेवाओं के पर्यवसान के विषय में बैंक प्राफ बड़ौदा, अहमदाबाद और श्री०एम०जी०कौशा चपरासी।						
8. 1/80	श्रम मंत्रालय का एन- 17021/15/79-डी IV बी तारीख 29-1-1979	सेवाओं के पर्यवसान के विषय में भारतीय जीवन बीमा नियम, प्रभागीय कार्यालय, अहमदाबाद का प्रबंध मंडल और श्री अशोक बृहत् भट्ट कैटीन लिपिक।	16. 9/80	श्रम मंत्रालय का एन- 12012/128/79-डी 11ए तारीख 7-10-980	सेवाओं के पर्यवसान के विषय में बैंक आफ बड़ौदा, अहमदाबाद और श्री०एस० एम० प्रोगापती।						
9. 2/80	श्रम मंत्रालय का एन- 340111/4/78-डी III बी तारीख 18-1-80	ट्रिलिंग भासा देने की बाबत नेल और प्राकृतिक गैस आयोग, देहराधुन का प्रबंध मंडल और उसके कार्यकर्ता।	शिकायत आई०टी०मी० प्रथम पक्षकार		द्वितीय पक्षकार						
10. 3/80	श्रम मंत्रालय का एन- 12012/13/79-आई०सी०-11 तारीख 7-4-80	सेवाओं के पर्यवसान के विषय में सह- कारी बैंक, अहम- दाबाद और श्री ए०बी० पटेल, चपरासी।	1. 1/79	श्रोकेण०मल्होत्रा (आजे०वैस्ट) पंजाब नेशनल बैंक, मुम्बई	पंजाब नेशनल बैंक,	पंजाब नेशनल बैंक, अहमदाबाद					
11. 4/80	श्रम मंत्रालय का एन- 12012/129/70-डी 11ए तारीख 7-6-1980	सेवा से पदलून अरने के विषय में स्टेट बैंक आफ सौनाम्बू भाव नगर, और श्री आई०जी० देवानी, लिपिक और रोकड़ियाँ।	2. 2/79	अर्थिल भारतीय पंजाब नेशनल बैंक कर्मचारी संगम दिल्ली।	पंजाब नेशनल बैंक,	प्रथम पक्षकार					
12. 5/80	श्रम मंत्रालय का एन- 12012/24/79-डी II ए तारीख 16-7-1980	सेवाओं के पर्यवसान के विषय में भारतीय स्टेट बैंक, एन०एच०ओ०, अहमदाबाद और श्री सन्तीप चन्द्रलाल पटवा रोकड़ियाँ।	3. 1/80	मैसर्म कांशी जावजी ए०ए क०, शिपिंग एजेंट, मुम्बई	उसके कर्मकार (काल्प)	द्वितीय पक्षकार					
13. 6/80	श्रम मंत्रालय का एन- 30012/2/80-डी III ए तारीख 26-7-1980	सेवाओं के पर्यवसान के विषय में नेल और प्राकृतिक गैस आयोग, बड़ौदा और श्री० एन०आर० जादव	[सं० ए० 11025/5/80-डी-IV(बी)]		MINISTRY OF LABOUR ORDER		New Delhi, the 19th December, 1980				
S.O.712.—Whereas the Industrial disputes specified in the Schedule hereto annexed are pending before Shri R. C. Israni, the Presiding Officer, Industrial Tribunal, Ahmedabad, And whereas the services of Shri R. C. Israni are no longer available;											
Now, therefore, in exercise of the powers conferred by Section 7-A read with sub-section (1) of the Section 33-B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri G. S. Barot with headquarters at Ahmedabad and withdraws the proceedings in relation to the said disputes pending before the said Shri R. C. Israni Presiding Officer, Industrial Tribunal Ahmedabad and transfers the same to Shri G. S. Barot, Presiding Officer, Industrial Tribunal, Ahmedabad with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.											
SCHEDULE											
Sl. No.	Ref. No.	Number and date of the Order	Subject								
1	2	3	4								
1. 7/75	L-12012/138/75-D.IIA dated 20-11-1975 from the Ministry of Labour.	The Central Bank of India, Rajkot and Shri J.N. Desai, Typist over termination of service.	The Central Bank of India, Rajkot and Shri J.N. Desai, Typist over termination of service.								

1	2	3	4
2.	4/78	L-42012(67)/77-D.II.B dated 17-6-1978 from the Ministry of Labour.	The Food Corporation of India, Ahmedabad and Shri S. R. Rajya- guru Typist over termina- tion of service.
3.	6/78	No.L-12012/138/77-D.II. A dated 16-9-1978 from the Ministry of Labour.	The State Bank of India, Ahmedabad and Shri B.N. Jha over termination of service.
4.	7/78	L-12012/120/77-D.II.A dated 5-10-1978 from the Ministry of Labour.	The Bank of Baroda, Kolol (N.G.) and Shri D.K. Parikh over termina- tion of service.
5.	8/78	L-12012/111/77-D.II.A dated 17-10-1978 from the Ministry of Labour.	State Bank of India, Ahmedabad and Miss Sulochana C. Doshi over termination of services.
6.	2/79	L-12012/98/78-D.II.A dated 16-2-1979 from the Ministry of Labour.	Bank of Baroda, Surat and Shri B.G. Desai, Clerk over termination of services.
7.	5/79	L-42011(37)78-D.II.B dated 12-6-79 from the Ministry of Labour.	Food Corporation of India, New Delhi and their workers regard- ing seniority of work- ers.
8.	1/80	L-17012/15/79-D.IV.A dated 29-12-1979 from the Ministry of Labour.	Management of Life Insurance Corporation of India, Divisional Office, Ahmedabad and Shri Ashok Bhambhatt Canteen Clerk over termination of services.
9.	2/80	L-30011/4/78-D.III.B dated 18-1-1980 from the Ministry of Labour.	Management of the Oil and Natural Gas Commission, Dehra- dun and their work- men regarding Drilling Allowance.
10.	3/80	No.L-12012/13/79-I-C-II dtd 7-4-80 from the Ministry of Labour.	The Co-operative Bank of Ahmedabad and Shri A.B. Patel, Peon over termination of services.
11.	4/80	L-12012/129/79-D.II.A dated 7-6-1980 from the Ministry of Labour.	State Bank of Sau- rashttra, Bhavnager and Shri I.G. Devani, Clerk-cum-Cashier over dismissing the service.
12.	5/80	L-12012/24/79-D.II.A dated 16-7-1980 from the Ministry of Labour.	State Bank of India, L.H.O. Ahmedabad and Shri Sandeep Chandulal Patwa, Cas- hier over termination of services.
13.	6/80	L-30012/1/80-D.III.B dated 25-7-80 from the Ministry of Labour.	Oil & Natural Gas Commission Bareda and Shri L.R. Jadav over termination of services.
14.	7/80	L-12011/30/79-D.II.A. dated 4-8-1980 from the Ministry of Labour.	Union Bank of India, Surat and their work- men over changing the system of allotment of work.

1	2	3	4
Complain (ITC)		First Party	Second Party
1	2	3	4
1.	1/79	Shri K.N. Malhotra (Thane West).	Punjab Bank, Bombay.
2.	2/79	All India Punjab National Bank Em- ployees Associa- tion, Delhi.	Punjab Bank, Ahmedabad.
Misc. Appln. (ITC)		First Party	Second Party
1.	1/80	M/s. Kanji Jadav- ji & Co. Shipping Agents, Bombay.	Their workmen (Kutch).

[No.S-11025(5)/80-D.IV(B)]

New Delhi, the 16th February, 1981

S.O. 713.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Union Bank of India and their workman, which was received by the Central Government on the 24th January, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I.D. No. 62 of 1979

Shri Romesh Kumar Khullar, House No. 13,
Mandi Road, Jullundur. . .Petitioner

Versus

The Asstt. General Manager,
Union Bank of India, North and Central Zones,
26-28-D, Connaught Place,
New Delhi. . .Respondent.

AWARD

The Central Government as appropriate Government vide its order No. L-12012/38/78-D.II(A), dated the 14th November, 1979 referred an Industrial Dispute under Section 10 of the I.D. Act, 1947 in the following terms to this Tribunal:

'Whether the action of the management of the Union Bank of India in again terminating the services of Shri Romesh Kumar Khuller, Ex-clerk in Hoshiarpur Branch with effect from 28-2-79 after his reinstatement on 22-2-79 is justified? If not, to what relief is the workman concerned entitled?'

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties, in pursuance thereof a statement of claim was filed by the workman. Thereafter a written statement was filed by the Management on 21-6-80 and the case was adjourned to 5th July, 1980. On 5th July, 1980 none appeared for the workman and the case was adjourned to 8th August, 1980. On 8th August, 1980 again none appeared for the workman and as such ex parte proceedings were ordered against the workman and

following issues were framed upon the pleadings of the parties :

1. Whether the workman had served any demand notice ?
2. Whether the case has been properly espoused ?
3. As in order of reference.

3. Thereafter ex-parte evidence of the Management was recorded which consists of affidavit Ex. M/1 and annexure thereto. I have gone through the ex-parte evidence produced by the Management and have given my considered thought to the matter before me and after giving my considered thought to the matter before me I have come to the following findings ; upon these issues :

4. Issue No. 3 :

I would take up this issue first. From the perusal of statement of claim I find that the contention of the workman is that he was initially working with the respondent—Bank and his services were terminated w.e.f. 19-10-77 on the ground that his services were not required by the Bank and the workman had failed to appear/qualify written test and interview for absorption in the Bank's service. But he was reinstated with full back wages vide Memo. dated the 22nd February, 1979 copy whereof is Annexure A to the affidavit of Shri Ravindra Raj which is Ex. M/1. Thereafter his services were terminated w.e.f. 28th February, 1979 vide memo copy Annexure B. From the perusal of this memo I find that a pay order for Rs. 526 being one month's wages and allowances in lieu of notice and another pay order for Rs. 797.90 being retrenchment compensation for the services rendered by the workman were enclosed with this memo when it was sent to Shri R. K. Khuller, the workman and the services of the workman were terminated, so is admitted by the Bank. According to the very contention of the workman he had not yet been absorbed in regular service of the Bank. According to the affidavit of Shri Ravindra Raj the services were terminated vide order dated 28-2-79 after the payment of requisite one month's salary in lieu of notice and requisite amount of retrenchment compensation. It is categorically stated in para 4 of affidavit by Shri Ravindra Raj that the Bank had not employed any other person thereafter on temporary basis at Hoshiarpur Branch where the workman was employed and as such there was no question of any violation of the provisions of Section 25-G or 25-H either. From the ex-parte evidence produced by the Bank it cannot be said that the termination of the services of the workman was not justified or was in violation of any provisions of law of service rules. In so far as the workman was temporary hand it was open to the Management of the Bank to terminate his services after requisite notice and payment of retrenchment compensation which has been done in the instant case. In view thereof it cannot be held that the order of termination of the services of the workman is bad in any manner what-so-ever and as such it is awarded that the action of the Management of Union Bank of India in again terminating the services of Shri Romesh Kumar Khuller, Ex. Clerk in Hoshiarpur Branch w.e.f. 28-2-79 after his reinstatement on 22-2-79 is justified and that he is not entitled to any relief what soever. It may be mentioned here that in view of my above award issue No. 1 and 2 do not call for any expression of opinion. Parties are however left to bear their own costs. Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

MAHESH CHANDRA, Presiding Officer.

[No. L-12012/38/78-D.II(A)]

New Delhi, the 18th February, 1981

S.O. 714.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Gogla Colliery of Eastern Coalfields Limited, P.O. Pandaveshwar, District Burdwan and their workmen, which was received by the Central Government on the 11th February, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3 DHANBAD

Reference No. 81/80

PARTIES :

Employers in relation to the management of Gogla Colliery of Eastern Coalfields Ltd., P.O. Pandaveshwar, District Burdwan.

Vs.

Their workman represented by Khan Shramik Congress.

APPEARANCES :

For the Employers—Sri R. N. Tiwari, Deputy Personnel Manager.

For the Workman—Sri B. S. Azad, General Secretary Khan Shramik Congress.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 4th February, 1980

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to the Central Government Industrial Tribunal-cum-Labour Court, Calcutta.

SCHEDULE

Whether the refusal of the management of Gogla Colliery of Eastern Coalfields Limited, P.O. Pandaveshwar, District Burdwan to place Sri S. K. Mukrib in Category V as Tyndal Zamadar with effect from March, 1974 is justified ? If not, to what relief is the concerned workman entitled ?

2. After due notice the management filed written statement before that Tribunal on 31-5-79. Thereafter as per Order No. S-11025(4)/80(D.IV(B)) dated 14/17th November, 1980 of the Government of India, Ministry of Labour this Reference was transferred to this Court which was received here on 28-11-80. Notices were issued to the parties for submission of their written claim etc. fixing 4-2-81.

3. Today both the parties have filed a joint memo of compromise duly signed on behalf of the representatives of the Employers and the workman and also two witnesses incorporating the terms of the settlement and praying that an Award may be passed accordingly.

4. I have gone through the terms of settlement and found they are beneficial to the concerned workman.

5. In the circumstances award is passed in terms of the above memo of settlement which shall form part of the award as Annexure 'A'.

J. N. SINGH, Presiding Officer

[No. L-19012/45/78-D.IV(B)]

S. S. MEHTA, Desk Officer

ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
NO. 3, DHANBAD
Reference No. 81 of 1980

PARTIES :

Employers in relation to the management of Gogla Colliery of Pandeveshwar Area of M/s. E. C. Ltd.,

AND

Their workmen.

Both the parties have mutually settled the above referred dispute out of the Court on the following terms and conditions :—

- (1) That Sk. Mukrib, Tyndal of Gogla Colliery shall be designated as Tyndal Jamadar on and from 1-1-1979 and will be placed in category V under National Coal Wage Agreement.
- (2) That the difference of Basic (of MCWA II) of category V, whatsoever, for the period from 1-1-79 shall be paid to Sk. Mukrib within 3 months from the date of this settlement.
- (3) That Sk. Mukrib shall have no claim over his designation and any wage prior to 1-1-1979.

It is, therefore, humbly submitted that an Award may kindly be passed, accordingly.

Representing the workmen

Shri B. S. Azad,
General Secretary,
Khan Shramik Congress,
(BMS), P.O. Ukhra,
Dist. Burdwan.

Representing the Employers

Shri R. N. Tiwari,
Deputy Personnel Manager,
Pandeveshwar Area of
M/s. E. C. Ltd.

Witness :

1. Shri S. J. Singh,
Personnel Manager,
Pandeveshwar Area
of M/s. E. C. Ltd.
2. Shri G. P. Singh,
Vice-President,
Khan Shramik Congress,
(BMS), P.O. Ukhra,
Dist. Burdwan.

Dated 4-2-1981.

J. N. SINGH, Presiding Officer

New Delhi, the 12th February, 1981

S.O. 715.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employees in relation to the management of Punjab National Bank and their workman over premature retirement of Shri Gurdial Singh, Caretaker, which was received by the Central Government on the 30th January, 1981.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

J.D. No. 15 of 1978

Camp : At Chandigarh.

In re :

Shri Gurdial Singh, 3351/35-D,
Chandigarh.

Petitioner

Versus

The Regional Manager,
Punjab National Bank,
Sector-17,
Chandigarh.

Respondent.

PRESENT :

Shri Gurdial Singh—workman concerned.

Shri C. K. Geoda with Shri V. C. Jaitley, Sr. Personnel Officer and Personnel Officer—for the Bank Management.

AWARD

The Central Government as appropriate Govt. vide its order No. L-12012/91/77-D.II.A dated the 4th February, 1978 referred an Indusrtial Dispute u/s 10 of the I.D. Act, 1947 to this Tribunal in the following terms :

'Whether the action of the management of Punjab National Bank in retiring Shri Gurdial Singh, Caretaker in Chandigarh Branch of the Bank from service with effect from 12-3-75 is justified ? If not to what relief is the workman entitled ?

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties, in pursuance whereof a statement of claim was filed. Thereafter a written statement was filed and finally a replication also was filed. Upon the pleadings of the parties following one issue was framed vide my order dated the 6th February, 1978 :

'As in the order of reference ?'

3. The case was then adjourned for evidence of the parties. Before the evidence of the parties could be recorded the parties have arrived at a settlement. I recorded the settlement of the parties in pursuance thereof and it reads as follows :

'It has settled between the parties the bank would pay 12,000 (Rupees twelve thousand only) in satisfaction of the claim of the workman on or before 31st January, 1981 to the workman and the parties would bear costs of this litigation. Award be passed accordingly.'

4. I have perused the settlement and after giving my considered thought thereto I find that it is for the benefit of the workman as such it is hereby ordered to be recorded.

5. In pursuance of the statements recorded above it is awarded that the Bank shall pay Rs. 12,000 to the workman in satisfaction of entire claim against the Bank. This amount shall be payable to the workman on or before the 31st January, 1981. Parties would bear their own costs.

Further Ordered :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Dated : the 17th January, 1981.

MAHESH CHANDRA, Presiding Officer.

[No. L-12012/91/77-D.II(A)]

New Delhi, the 13th February, 1981

S.O. 716.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employees in relation to the manngement of State Bank of India, and their workman over termination of services of firemen of the Bank without notice which was received by the Central Government on the 2nd February, 1981.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted by the Government of India)

Friday, the 23rd day of January, 1981

Industrial Dispute No. 60 of 1980

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of State Bank of India, Madras).

BETWEEN

The workmen represented by
The General Secretary,
State Bank Employees Union,
26/37, Angappa Naickan Street, Madras-1.

AND

The Chief General Manager,
State Bank of India, Madras LHO,
21, Rajaji Road, Madras-1.

REFERENCE :

Order No. L-12011/38/79-D. II. A, dated 4-9-1980 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing of Thiru K. Chandru for Thiruvalargal Row and Reddy and K. Chandru, Advocates for the workmen and of Thiru Sanjay Mohan, for King and Partridge, Advocates for the Management and the counsel for Union having made endorsement that the dispute may be dismissed as not pressed, this Tribunal made the following.

AWARD

This is an industrial dispute between the workmen and the Management of State Bank of India, Madras, referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-12011/38/79-D.II.A, dated 4-9-1980 of the Ministry of Labour, in respect of the following issue :

Whether the action of the Management of State Bank of India, Madras in terminating the services of S/Shri Rajagopalan and S. Subbaraman, Firemen without any notice after they had put in nearly six months service from the date of their appointments, namely, April 11, 1978 is justified? If not, to what relief are the workmen concerned entitled?

(2) Parties were served with summons.

(3) The Petitioner Union filed a claim statement on 8-10-1980. In repudiation thereof, a counter statement was filed by the Respondent-Management on 20-11-1980. It is not necessary to traverse here the contentions of both sides, as the dispute was not pressed.

(4) After several adjournments, when the dispute was taken up for enquiry today, the counsel for Union made endorsement in the Claim Statement that the Union is not pressing the dispute and hence it may be dismissed as not pressed.

(5) Hence Award is passed rejecting the claim as not pressed. No costs.

Dated, this 23rd day of January, 1981.

T. SUDARSANAM DANIEL, Presiding Officer
[No. L-12011/38/79-D. II(A)]

आवेदन

नई विल्सनी, 17 फरवरी, 1981

का० आ० 717:—केन्द्रीय सरकार की राय है कि इससे उपायद अनुमति में विनिर्दिष्ट विषय के बारे में भारतीय स्थान निगम के प्रबंध संत्र से सम्बद्ध एक औद्योगिक विवाद निर्णयों ओर उनके कर्मकारों के बीच विभागात्मक है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चांडीय समझती है;

प्रम्, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 का और धारा 10 की उपधारा (1) के खंड

(ष) द्वारा प्रदल प्रतिवेदियों का प्रवीण करने हुए, एक औद्योगिक अधिकारण गठित करती है जिसके प्रीठासीत अधिकारी श्री डॉ मुन्द्रमनम डेनिमल होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकारण को न्यायनिर्णयन के लिए निर्देशित करती है।

अन्तर्गत

कथा संपूर्ण प्रबंधक (पल्लन भृक्षिया) भारतीय स्थान निगम, मद्रास की सर्वश्री रामचन्द्रन और ए० वॉ० देवेश मूर्ति, वेक्यूवेट्स की कम्पनी: नदम्बर, 1977 से अक्टूबर, 1978 तक द्वारा करवाई, 1978 से नदम्बर, 1978 तक अनुपस्थिति के कारण उन्हें पुनः रोकारान न देने की कार्रवाई न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुनीत के हक्कावार है?

[सं. प्रा. 42012 (53)/80--धी-II (बी)]
प्रम्. प्रम्. भल्ला, ईस्ट अधिकारी

ORDER

New Delhi, the 17th February, 1981

S.O. 717.—Whereas the Central Government is of opinion that industrial dispute exists between the employers in relation to the management of Food Corporation of India and their workmen in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government consider it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sudarsanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the Joint Manager (Port Operations), Food Corporation of India, Madras, in not giving re-employment to S/Shri R. Ramachandran and A. V. Dhakshinamoorthy, Vacuators, for and their absence from November, 1977, to October, 1978 and from February, 1978 to November 1978 respectively is justified? If not, to what relief the workmen are entitled?"

S. S. BHALLA, Desk Officer
[No. L-42012(53)/80-D. II(B)]

New Delhi, the 23rd February, 1981

S.O. 718.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of National and Grindlays Bank and their workmen over the payment of bonus for the year 1967, which was received by the Central Government on the 5th February, 1981.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA

Reference No. 27 of 1972

PARTIES :

Employers in relation to the National and Grindlays Bank Limited, Calcutta.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers—Mr. M. S. Bala, Advocate, with Mr. A. K. Basu, Controller.

On behalf of Workmen—Mr. P. J. Seetharaman, Advocate with Mr. R. Sadasivan, Secretary and Mr. T. Ayyaswamy, Assistant Secretary of the Union.

AWARD

This is a reference under Section 10 of the Industrial Disputes Act, 1947 which was originally sent to this Tribunal by the Government of India by its Order No. 23/106/70-LR III dated 10th December, 1970 in respect of an industrial dispute between the employers in relation to the National and Grindlays Bank Limited, subsequently named as Grindlays Bank Limited, Calcutta, hereinafter referred to as the Bank and their workmen represented by the General Secretary, All India National and Grindlays Bank Employees Federation, 378, Netaji Subhas Road, Madras, hereinafter referred to as the Union, for adjudication. The matters to be decided have been mentioned in the Schedule to the Reference as hereunder :

- (1) What percentage of the salary is payable as bonus to the employees of the Bank in respect of the accounting year, 1967, under Payment of Bonus Act, 1965?
- (2) Whether any amount has to be carried forward for being set on under section 15 of the said Act for the accounting year 1967, and if so, what is the amount?

2. The reference was registered as Reference No. 4 of 1971. Subsequently as a vacancy occurred in the office of the Presiding Officer of this Tribunal, the Central Government constituted an Industrial Tribunal at Madras and the dispute was transferred to that Tribunal for disposal by virtue of Central Government Order No. 23/106/70/LRIII, dated 3rd July, 1971. Thereafter as the services of the Presiding Officer of the Madras Tribunal ceased to be available, the Central Government by its Order No. 23/106/70/LRIII dated 25th April, 1972 again withdrew the case from the said Madras Tribunal and sent it to this Tribunal for disposal and the case was registered and renumbered as Reference No. 27 of 1972.

3. This case has a chequered career. A reference for a dispute between the same parties in respect of bonus for the year 1966 was disposed by this Tribunal on 25th June, 1969. Against that award there was an appeal before the Supreme Court which was disposed of there with an order of remand for decision on certain points and the said decision has been reported in 1976 I LLJ, p. 463. On remand this Tribunal passed an award on 26th of November, 1976. Of course, against that decision there was no appeal. This case was handled by four predecessors-in-office and ultimately the argument was concluded on 30th December, 1980.

4. When the argument started, the parties in order to cut short the matter argued fully on the points of difference without going into the minor details of difference. The case of the union can be summarised in the following sentence appearing in paragraph 7 of its written statement filed on 17-2-71 :

"It is the claim of the workmen that for the accounting year 1967 they are entitled to bonus equivalent to not less than 20 per cent of the gross emoluments even after satisfaction of which claim the profits for the year 1967 would result in a further set on to be carried over to the accounting year 1968 (Annexure II.)"

Annexure I is the worksheet giving the computation of gross profits according to the Payment of Bonus Act, 1965.

5. As against this claim the Bank's case will appear in paragraph 2 of its written statement filed on 24-2-71 which says :

"With reference to paragraph 7 of the written statement the Bank craves leave to refer to the above award of this Hon'ble Tribunal wherein it was decided that no set on was available for carrying forward to 1967 and that employees were entitled to a bonus of little over 9 per cent whereas the Bank had actually paid bonus at 18 per cent being much more than what they were entitled to under the law."

The award referred to in the quotation is the award given by this Tribunal for the year 1966 against which an appeal

was preferred in the Supreme Court as already mentioned. In this connection the decision of this Tribunal after remand from the Supreme Court may be referred to. According to that decision following the guidelines laid down by the Supreme Court in the matter of payment of bonus, this Tribunal held that allocable surplus under the Payment of Bonus Act in respect of the Bank's accounting year 1966 was Rs. 32.69 lakhs. Rs. 4.292 lakhs including set on coming from the previous year was payable as bonus. But since the employees had already been paid 18 per cent as bonus, they were not entitled to get anything more. No set on was to be carried over for the year 1967.

6. A rejoinder was also filed by the union and supplementary statement was submitted by the Bank. It is further to be noted that the parties after the decision of the Supreme Court already referred to, prepared fresh computation sheets on the basis of the guide lines laid down by the Supreme Court.

7. Mr. P. J. Seetharaman, learned Advocate appeared on behalf of the union, whereas Mr. M. S. Bala, the learned Advocate supported the case of the Bank. In this case several documents have been exhibited on both the sides. The Bank has examined A. K. Basu, the Controller of Bank Accounts in India whereas no oral evidence has been adduced on the side of the union.

8. At the time of argument, as I have already indicated earlier, both the parties relied upon their latest computation sheets and on comparison there were difference on seven items of calculation and those differences are :

- (i) Under the head "Bonus to employees" in items No. 2(a) the amount given by the Union is Rs. 29.75 lakhs, whereas according to the Bank it would be 'nil'.
- (ii) Depreciation in item No. 2(b)—According to the employees it would be Rs. 9.73 whereas the Bank says it would be Rs. 6.71 lakhs.
- (iii) Under the head "Donation" in excess of amount admissible for Income Tax item No. 3(h)—According to the Union it would be Rs. 0.55 lakhs. whereas the Bank claims that it would be Rs. 0.26 lakhs.
- (iv) For the item of Capital expenditure in item No. 3(c), the Union has allotted Rs. 44.89 lakhs, whereas the Bank has put it at Rs. 2.09 lakhs.
- (v) In respect of deduction relating to the Foreign Banking Companies proportionate administrative expenses of Head Office under item No. 6(e), union has mentioned Rs. 40.55 lakhs, whereas according to the Bank it would be Rs. 54.81 lakhs.
- (vi) Regarding deduction for depreciation admissible as per provision of Section 32(1) of the Income Tax Act, the Bank has calculated it at Rs. 16.63 lakhs, whereas according to the union it would be 'nil'.
- (vii) The last item of deduction would be such sum which in respect of the accounting year is deposited with the Reserve Bank of India under sub-clause (2), clause (b) of sub-section 2 of Section 11 of the Banking Companies Act, 1979. For this item the union has put Rs. 0.50 lakh, whereas the Bank says it would be Rs. 16.10 lakhs.

9. When Mr. Seetharaman started arguing his case, he submitted that the union does not press the claim for 'donation' in excess of the amount admissible for Income Tax under item 3(b) as the difference is negligible. I am, therefore, to consider the six points of difference in the claims made by the parties as indicated in their respective computation sheets.

10. I will first take up Item No. 2(a) of the computation sheet under the Payment of Bonus Act. Item No 2 is the "Add Back" provision for four items mentioned there. One of the subjects for provision is (a) Bonus to employees for

which the amounts claimed by the parties are in dispute. Mr. Seetharaman, the learned Advocate appearing on behalf of the union has contended that the Bank, according to its custom, pays bonus during the relevant year and not alter the year for which it becomes due and in the present case admittedly a sum of Rs. 39.75 lakhs was paid as bonus during the relevant year. Both Mr. Seetharaman and Mr. Bala have agreed that this is an item which means for "provision" for bonus to the employees and will not include the bonus actually paid for the relevant year. Mr. Bala has submitted that the Bank made no provision for bonus for the relevant year for the purpose of accounting and, therefore, the bank has not mentioned any sum towards this item in the computation sheet. Mr. Seetharaman has, on the other hand, argued that when the sum of Rs. 39.75 lakhs was paid during the year it should be presumed that such a provision was made for bonus to employees. A. K. Basu, MW-1, has stated that as there was no provision made in the accounts for bonus to employees, no figure has been added back in respect of this item. There is no doubt that under the Payment of Bonus Act what is to be added in respect of this item is the "provision" for bonus to employees and not the amount actually paid to employees towards bonus. The Supreme Court has stated in the case of Workmen vs National and Grindlays Bank, reported as mentioned earlier, "What is liable to be added back under item 2(a) of the First Schedule is not the amount of bonus payable to the workmen nor the amount of bonus in fact paid, but the provision for bonus made in the profit and loss account". In view of the evidence on record in this case I have no doubt that there was no provision made in the accounts for bonus to employees and as such no amount should be added back under this item. I accept the Bank's statement in this respect.

11. The second point of difference relates to item No. 2(b) of the First Schedule to the Payment of Bonus Act. It relates to depreciation. According to the union Rs. 9.73 lakhs should be added back for this item, whereas the Bank's case is that it should be Rs. 6.71 lakhs. Mr. Seetharaman, the learned Advocate appearing on behalf of the union says that there is no acceptable evidence on the said of the bank on which the Tribunal can depend for the amount as claimed by the Bank. His calculation of Rs. 9.73 lakhs has been made on the basis of items Nos. 8 and 9 in the columns for property and assets in the Bank's balance-sheet for the year 1967 which has been marked Exhibit 2. The depreciation in respect of premises of the bank under item 8 appearing in Ext. 2 has been assessed at Rs. 4,45,610 lakhs. In item No. 9 relating to furniture and fixtures the total depreciation has been shown as Rs. 15,87,421 lakhs, whereas the total depreciation in the year 1966 was Rs. 10,49,917 lakhs. The difference between the two figures comes to Rs. 9.73 lakhs. This is how Mr. Seetharaman has calculated the amount he has claimed. Mr. Seetharaman's argument is that the witness on behalf of the Bank had no personal knowledge about the figures and if his evidence is accepted as it is, then it has got no value because he himself did not prepare the income tax return from which he is alleged to have ascertained the amount for depreciation. The Bank's witness is MW-1 A. K. Basu, the Controller of Bank's Accounts in India. With regard to this item, his evidence is that he obtained the figure for depreciation from the Bank's Income-tax return which had been duly assessed by the Income-tax department. In this connection he has referred to a certificate issued from the Income-tax department marked Ext. M-3. The witness produced copies of income-tax assessment return as well as the assessment order passed by the Income-tax Officer. They were not made exhibits because the Bank claimed special privilege at the relevant time. If the Bank so desired, it could have relied on the relevant portion alone which speaks about the figures relating to depreciation and allowed the other side to have inspection of that portion alone. But the Bank did not choose to disclose the figures mentioned therein relating to this item. Unless the adversary gets an opportunity to look into that portion for cross-examination or challenging the same otherwise, I am afraid, the Tribunal cannot allow the Bank to rely upon the same and, to be fair, the Tribunal should not pay any attention to the same. In this view of the matter, I do not place any importance to the copy of the assessment order or the copy of the income-tax return produced only for the purpose of being looked into by the Tribunal. The witness has admitted that the balance sheet and profit and loss account for the year 1967 was not prepared in India. It was prepared by the Bank's Head Office

in England. In answer to a question as to whether he had any personal knowledge about the correctness of the income-tax return, MW-1 A. K. Basu stated that as the figures were collected from him he was conversant with the figures shown in the income-tax return. It is clear, therefore, that for preparation of the income-tax return it was the witness who supplied figures. Therefore, it cannot be argued that the witness had no knowledge about the correctness of the figures in the income-tax return since he did not prepare the same. It is clearly shown that the witness had knowledge about the figures because it was he who supplied the same for preparation of the income-tax return. It is to be noted in this connection that the witness was not particularly cross-examined as to the manner of his calculation when he supported the amount given in item No. 2(b) in the First Schedule and further stated that Rs. 9.73 lakhs was not correct. Even there was no cross-examination to ascertain the figures the witness obtained from the income-tax return or the figures he supplied for preparation of the income-tax return. On the contrary, during the pendency of the reference at the request of the union, an affidavit was sworn to by the witness, A. K. Basu himself stating the heads of depreciation, namely, the depreciation on premises amounting to Rs. 4,45,610 lakhs and depreciation on furniture and fixtures Rs. 1,71,072 lakhs, the total being Rs. 6.16 lakhs. On these figures as appearing in affidavit there was no cross-examination as well from the side of the union. In the facts and circumstances it cannot be stated that MW-1 had no knowledge about the figures relating to depreciation or that his evidence is unreliable in this respect. Ext. M-3 the certificate given by the Income-tax Officer is on the basis of the depreciation allowed by him and that amount is Rs. 6.71 lakhs. I, however, accept the earlier statement of the witness, namely, the depreciation to the extent of Rs. 6.16 lakhs as given by him in his affidavit sworn as early as in the year 1971. In my view, therefore, the amount of depreciation to be added back should be Rs. 6.16 lakhs.

12. I now pass on to disputed Item No. 3(c) of the First Schedule which relates to capital expenditure as mentioned there. My attention has already been drawn to the Foot-note No. 1. The Bank wants that an amount of Rs. 2.09 lakhs should be added back under this item whereas according to the Union the amount should be Rs. 44.89 lakhs. In support of the claim of the union Mr. Seetharaman, the learned Advocate has drawn my attention to items No. 8 and 9 under the columns for property and assets in Ext. 2, the balance-sheet and Profit and Loss Accounts of the Bank for the year 1967. In item No. 8 relating to premises we get additions during the year 1967 at the cost of Rs. 15,82,861.69 P and under item No. 9 relating furniture and fixtures the additions during the year were for Rs. 29,06,115.86 P, and the total amount comes in lakhs to Rs. 44.89. According to Seetharaman these additions are new acquisitions and, therefore, they should come under capital expenditure. There is no evidence whatsoever that any part of it relates to revenue expenditure or otherwise. According to Mr. Seetharaman these acquisitions according to principles of accountancy are to be recorded as capital expenditure unless it is shown otherwise and that the onus to show that in the present case is upon the Bank.

13. In reply Mr. Bala has relied upon Ext. 3, a certificate of the Income-tax Officer stating that a sum of Rs. 2,09,510 was capital expenditure charged to profit and loss account added back. Mere certificate from the Income Tax Officer is no evidence in the present case. My attention has been drawn to the Supreme Court decision already mentioned wherein the value of certificate in circumstances like the present one has been indicated. I do not get any basis of calculation as to how this amount was arrived at. There is no such evidence coming from the Income-tax Officer nor from the side of the Bank. Mr. Bala has, however, relied upon the evidence of the witness of the Bank, MW-1, A. K. Basu who has stated that an amount of Rs. 2.09 lakhs has been added back in the bank's calculation as this amount forms part of the certificate granted by the Income-tax Officer. It may be that this amount was charged in the profit and loss account according to the assessment of the Income-tax authority but this Tribunal must, for the purpose of bonus, have some basis to come to a finding.

14. As against the argument of Mr. Seetharaman relying upon items No. 8 and 9 under the column of property and assets in Ext. 2, Mr. Bala did not place before me any basis of the calculation. His only submission was that there was

Ext. 3 the certificate from the Income-tax Officer and that MW-1 has stated that this was charged to the profit and loss account by the Income-tax Officer. In view of the evidence on record I am unable to accept the contention of the Bank that the amount of Rs. 2.09 lakhs should be added back as capital expenditure in item No. 3(c). I find no basis for calculation to arrive at this figure. I reject the Bank's figure and I accept that an amount of Rs. 44.88 lakhs in round figure should be added back as capital expenditure in item 3(c) of the First Schedule for computation of the gross profit as submitted by Mr. Seetharaman.

15. The next point in dispute relates to item No. 6(e) mentioned in the First Schedule of the Payment of Bonus Act. This item speaks of proportionate administrative (overhead) expenses of Head Office allocable to Indian business in cases of foreign banking companies. According to Mr. Seetharaman there is no evidence on the side of the bank for ascertaining this sum which according to the bank is Rs. 54.81 lakhs. The union has mentioned in its computation sheet the sum of Rs. 40.55 lakhs, of course, without prejudice. Mr. Seetharaman has relied on this because it has been mentioned by the Bank in its calculation made in the year 1971 submitted with its rejoinder to the written statement filed by the employees of the bank. In this connection footnote 3 of the First Schedule is relevant. Mr. Seetharaman has argued that profit of £ 1257,000 appearing at page 7 of Ext. 1 includes profits of different subsidiaries and they have not been differently shown in Ext. 1. Ext. M5 is the letter written by Coopers and Lybrand, Chartered Accountants, to the Bank's witness A. K. Basu, Controller of the Bank at 19, Netaji Subhas Road, Calcutta. According to this letter the Chartered Accountants who are the auditors of the bank's Head Office in England have confirmed that according to the books and records of the Grindlays Bank Ltd. (formerly National and Grindlays Bank Ltd.) £ 150,000 was made a provision for depreciation for the year ended 31st December, 1967. Mr. Seetharaman has stated that unless the records from England are brought here, this certificate cannot be of any use and value. It should be remembered that this letter was written to the Bank from England in due course of business and for this purpose, in my view, the records from England need not be produced and proved before this Tribunal. Mr. Seetharaman has brought to my notice that the name of the auditors mentioned in Ext. 1 is different from the one appearing in Ext. 5. MW-1 has clearly stated that Coopers and Lybranch appearing in Ext. 5 and Cooper Brothers and Co. and W.A. Browne and Co. appearing in Ext. 1 are the same firm and that Coopers and Lybrand are the successor company of Cooper Brothers and Co. mentioned in Ext. 1. It has been further stated that the item of £ 150,000 transferred to inner reserve at page 4 of Ext. 1 has not been explained. I do not place any importance to this argument. It has also been argued by Mr. Seetharaman that the bank has not produced any evidence regarding bonus paid or provided for in branches of the bank in other countries. This branch of argument does not appeal to me in view of the fact that we are concerned to see only the position of the branches in India and as required with reference to the relevant items in the balancesheet and profit and loss account of the Head Office in England. Of course there is no evidence on the side of the union as to the basis of calculation made by the union. On the other hand, Mr. Seetharaman has submitted that without prejudice he has accepted this amount as calculated by the Bank in the year 1971. In this connection I should look to the evidence adduced from the side of the Bank.

16. There is no doubt that the bonus is upon the Bank to show that there is reasonable basis for the amount claimed by it. Regarding the item under consideration, let me consider the oral evidence of A. K. Basu, MW-1. According to his evidence he has shown the figure of Rs. 54.81 lakhs for this head. He has considered the footnote No. 3 of the First Schedule. On this basis he has calculated as mentioned by him. He has stated that the world gross profit has been calculated in terms of footnote 3 of First Schedule and in accordance with the principles laid down by the Supreme Court in its judgment regarding the bonus payable for the year 1966 by this Bank. He has stated how he has calculated. According to him the net profit as per consolidated profit and loss account shown in Ext. 1 is £ 1,257,000 that is Rs. 226.26 lakhs. To this he had added back as in item 2 of the First Schedule namely, 2(a) provision for bonus to employees 'nil'. He has also added the provision for depre-

ciation, namely £ 150,000 that is Rs. 27.00 lakhs. He considered the item No. 2(c) provision for development rebate reserve, so also the item 2(d) provision for any other reserve. The world gross profit on the above basis comes to Rs. 253.26 lakhs. He finds no law to add back the Head Office expenditure to world gross profit. According to him this question does not arise because the expenditure incurred by Head Office in respect of administration of overseas units is recovered from respective overseas territories. As the expenditure is incurred and recovered there is no debit item outstanding in the profit and loss account which is to be added back. Since there is no debit item in the general profit and loss account, Head Office charges allocable to territories, the question of adding back Head Office charges in the same manner as it has been done in computing the Indian gross profit does not arise. The witness has further stated that after the Supreme Court judgment the method of calculation has varied and as such the calculation for Indian gross profit and World gross profit figures arrived at before the Supreme Court Judgment have been substantially changed after the decision of the Supreme Court. The witness has stated that in the year 1971 the method of calculation was different but after the Supreme Court decision, according to his calculation, the amount has been estimated at Rs. 54.81 lakhs. The witness was cross-examined from the side of the union as to the amount of Rs. 124.60 lakhs as this amount was advised to India by the Head Office. He has also stated that this was an amount which was certified by the auditors of the Bank in London. The witness has stated that he saw the original certificate himself.

17. In these circumstances, it cannot be argued that the Bank was to bring original papers of accounts from London to prove the actual financial position and the relevant amounts. We have got in this case the balancesheet of National and Grindlays Bank Ltd. for the year ended 31st December, 1967, marked Ext. 1 issued by the Head Office of the Bank in London. It is not expected that for the purpose of proving the amount mentioned therein, the Bank has got to bring all papers connected within before this Tribunal to prove them again for the purpose of bonus and to prove the amount relied upon by the Bank as correct. In this case the Bank's witness has given evidence on the basis of his personal knowledge as well as from knowledge derived from official communications and source in due course of business. I am satisfied in this case that there is nothing to challenge or to find fault with the method of calculation adopted by the witness. In these circumstances, I arrive at the amount of Rs. 68.74 lakhs as calculated in the manner I have shown hereafter in the computation of Gross Profits and available surplus.

18. The next disputed item relates to depreciation admissible as per provision of Section 32(1) of the Income-tax Act to be deducted from the gross profit as per First Schedule, as mentioned in Section 6 of the Payment of Bonus Act. Mr. Seetharaman has argued that the Bank has placed no material before the Tribunal in support of this item and that is why no figure was given by the union in its computation sheet. According to the Bank the amount should be Rs. 16.63 lakhs. The Bank wants to rely on Ext. 3, a certificate given by the Income-tax Officer saying that the amount of depreciation allowed is Rs. 16,63,337. The Bank also relies upon the oral evidence of A. K. Basu, MW-1. Mr. Seetharaman has referred to the decision of the Supreme Court deciding the Bonus case for the year 1966 already mentioned to say that the opinion or decision of the Income-tax Officer is not binding upon this tribunal. There must be material before this Tribunal for the basis of the actual depreciation and the amount claimed by the Bank. Mr. Seetharaman has relied upon item No. 8 of Assets in Ext. 2, the balancesheet for the year 1967 where the value of the premises has been given as Rs. 91,39,551.63. Mr. Seetharaman has submitted that according to the Income-tax Act 2.5 per cent to the extent of Rs. 2,28,487 lakhs would be deducted as depreciation. Regarding item No. 9 relating to furniture and fixture the value has been assessed at Rs. 32,91,114.88 and according to Mr. Seetharaman 10 per cent of the amount namely, Rs. 3,29,110 lakhs should be substantiated as depreciation. According to him the total depreciation would be, therefore, Rs. 5.57 lakhs. Considering the additions during the year as mentioned in the balancesheet, Mr. Seetharaman has given some allowance and ultimately according to his estimate he has agreed that a sum of Rs. 6.71 lakhs may be taken as the sum to be deducted from the gross profit.

19. With regard to the evidence of A. K. Basu on this point, we find that he obtained the figure Rs. 16.63 lakhs from the Bank's Income-tax return but the said return has not been allowed to be inspected or seen by the union or his advocate on the ground of special privilege. On the other hand, Mr. Bala relies upon the certificate Ext. 3 to prove this depreciation. The Supreme Court has stated in its judgment already referred to as follows :

"It is clear on a plain natural reading of the language of S. 6, cl. (a) that what is deductible under that clause is 'depreciation admissible in accordance with the provisions of sub-s. (1) of S. 32 of the Income-tax Act' and not 'depreciation allowed by the Income-tax Officer in making assessment on the employer'. It is the Industrial Tribunal which has to find for itself what is the amount of depreciation admissible under sub-s. (1) of Sec. 32 and it cannot abdicate its duty and surrender its judgment to what has been done by the Income-tax Officer while making assessment under the Income-tax Act."

When the copy of the Income-tax return has not been allowed to be inspected by the union, I find no reason why I should look into it. The union did not get any opportunity to have a look on the figures mentioned there and to cross-examine the witness of the Bank. In these circumstances, I place no importance to the copy of the Income-tax return filed in this case. The Bank's witness has stated that the depreciation is arrived at in accordance with the specified rates laid down by the Income-tax rules. He has not mentioned the process he adopted in coming to this calculation. He has stated that the figures of depreciation are attached to Income-tax return, but the Income-tax return has not been made evidence in this case. In these circumstances I am constrained to hold that the Bank has adduced no evidence as to how the amount for depreciation mentioned by the Bank has been arrived at. In the facts and circumstances, as Mr. Seetharaman has found the sum of Rs. 6.71 lakhs as the figure for depreciation, in the absence of any acceptable evidence on the side of the Bank, I accept the same.

20. The last fight between the parties was over the item for deduction which as per Third Schedule relates to such sum which in respect of reckoning year is deposited by the Bank with the Reserve Bank of India under sub-clause (ii) of clause (b) of sub-section (2) of Section 11 of the Banking Regulations Act, 1949 not exceeding the amount required under the aforesaid provision to be so deposited. Mr. Seetharaman's contention with regard to this item is that the sum should be Rs. 50,000 in place of Rs. 16,10 lakhs as contended by the Bank. For this purpose he relies upon Ext. 2 the balancesheet of Indian branches of the bank as at 31-12-67 and Ext. W-3, the balancesheet of Indian branches as at 31-12-68. It has been argued by Mr. Seetharaman that as per Ext. 2 no deposit was made with the Reserve Bank in 1967 and the total deposit shown is Rs. 99.60 lakhs whereas in 1966 the total deposit was Rs. 99.10 lakhs. According to him, therefore, the difference between the two sums, namely, Rs. 50,000 was deposited. In this connection he relied upon Section 11(2)(b) of the Banking Regulations Act and submitted that 20 per cent of the profit should be deposited with the Reserve Bank. Ext. W-3 the balancesheet of the Indian branches as at 31-12-68 shows that in 1968 Rs. 1,20,18,000 was deposited with the Reserve Bank of India under Section 11(2) of the Act as against the deposit shown as 99.10 lakhs in 1967. Mr. Seetharaman in this view of the matter has submitted that there was a deposit of Rs. 20 lakhs that is to say 20 per cent of the profit. Mr. Seetharaman has argued that the profit was Rs. 1,02,00,000 for the year 1967. This calculation has been made, as Mr. Seetharaman has stated, due to the total absence of evidence on the side of the Bank and in view of the fact that A. K. Basu, witness of the bank could have no personal knowledge of the amount since he did not prepare the profit and loss account. With reference to the provision of Section 24 of the Payment of Bonus Act, Mr. Seetharaman's contention is that there cannot be any presumption of correctness of the balancesheet and profit and loss account appearing Ext. 2 because there has been no certificate given by the auditors regarding the profit and loss account.

21. With regard to the last point regarding the alleged absence of certificate of the auditors in respect of the profit

and loss account, I cannot accept Mr. Seetharaman's contention. The auditors have clearly stated in their report in Ext. 2 that they had examined the balance-sheet and the annexed profit and loss account which were in agreement with the records and returns and that in their opinion and to the best of their information and according to the explanation given the said accounts give the information as required by the Indian Companies Act, 1956 and as amended by the Indian Companies Amendment Act, 1960 and the Banking Regulations Act, 1949 (India) as amended upto 1st March, 1969. According to them the said balancesheet gives a true and fair view of the state of affairs of the bank's branches in India as at 31st December, 1967 and that the profit and loss account gives true and fair view of the profit for the year ended on that date. Clearly, therefore, the auditor has certified the correctness of the balancesheet as well as the profit and loss account annexed thereto.

22. Let me now see how far the bank has been able to prove by acceptable evidence that the sum of Rs. 16.10 lakhs should be deducted under this item from the gross profit. As I have already indicated, there is the initial presumption of correctness of the balancesheet and profit and loss account appearing in Ext. 2. There are two letters collectively marked Ext. M6. One is written to the Manager of the Bank of Calcutta dated 30th March, 1968 by the Assistant Chief Manager and the second letter is dated 30th March, 1968 written by the Assistant Manager to the Joint Chief Officer, Reserve Bank of India at 15, Netaji Subhas Road, Calcutta. Both the letters relate to the deposit under Section 11(2)(b) (ii) of the Banking Regulations Act, 1949. Both the letters are written in due course of business. There is no challenge about it. In one letter it is stated that the amount to be deposited under Section 11(2)(b)(ii) in respect of 1967 profit works out at Rs. 16,10,076 and there was the suggestion for such deposit. It was further suggested for the deposit of Rs. 16,15,000 for the profits for the year 1967 beside other deposits. In the second letter written to the Reserve Bank of India, the Joint Chief Officer of the Reserve Bank of India was informed that instructions had been issued to the Bank at 19, Netaji Subhas Road, Calcutta branch to arrange to make a deposit of security amounting to Rs. 15,15,000 under Section 11(2)(b)(ii) of the Banking Regulations Act in respect of the profits for the year ended 31st December, 1967. In this connection the evidence of the Bank's witness A. K. Basu should be considered. He has stated that he submitted the certificate from the Reserve Bank that the Bank had deposited with them securities adequate to fulfil the requirement of Section 11(2) of the Banking Regulations in respect of the accounting year. He has further stated that a sum of Rs. 16.10 lakhs was deposited to the Reserve Bank of India.

23. In this connection it should be noted that A. K. Basu the Bank's witness was not cross-examined on the question of deposit of the sum of Rs. 16.10 lakhs or any sum under Section 11(2)(b)(ii) of the Banking Regulations Act, 1949; neither was there any suggestion thrown to the witness that no such deposit was made. In view of the evidence on record I must hold in the facts and circumstances of this case that the presumption of correctness as to the profit to the extent of Rs. 80,50,379.60 P. appearing in the balancesheet for the year 1967 in Ext. 2 has not been rebutted, that the said profit has been correctly shown and that 20 per cent of the said profit was deposited to the Reserve Bank of India and that the Bank is entitled to get a deduction of Rs. 16.10 lakhs as claimed.

24. In view of my finding above, let me now prepare the computation of the gross profit and the bonus payable to the workmen as per Payment of Bonus Act, 1965 in the manner following, giving the amounts arrived at by me and those over which there was no dispute between the parties :—

COMPUTATION OF GROSS PROFITS

Accounting year ending 31st December, 1967

(Figures shown in lakhs)

Item No.	Particulars	Amount of sub-items	Amount of main items	Remarks
1	2	3	4	5
1.	Net Profit as shown in the profit and loss account after making usual and necessary provisions	80.50		
	Actual Head office administrative charges	50.79	131.29	
2.	Add back provisions for :			
(a)	Bonus to employees	..		
(b)	Depreciation	6.16		
(c)	Development Rebate Reserve (See foot-note 1)	..		
(d)	Any other reserves (see foot-note 1)	..	6.16	
3.	Add back also :			
(a)	Bonus paid to employees in respect of previous accounting years (See foot-note 1)	25.88		
(d)	Donations in excess of the amount admissible for income-tax	0.24		
(c)	Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct tax) and capital-losses (other than losses on sale of capital assets on which depreciation has been allowed for income-tax) (See foot-note 1)	44.88		
(d)	Any amount certified by the Reserve Bank of India in terms of sub-section (2) of sec. 34A of the Banking Companies Act, 1949	..		
(e)	Losses of or expenditure relating to, any business situated outside India	..		
	Total of Item No. 3	71.00		
4.	Add also Income, profits or gains (if any) credited directly to published or disclosed reserves, other than			

1	2	3	4	5
	(i) Capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax).			
	(ii) Profits of and receipts relating to, any business situated outside India			
	(iii) Income of foreign banking companies from investments outside India			
	Net total of item 4.			
5.	Total of Item Nos. 1,2,3&4		208.45	
6.	Deduct :			
(a)	Capital receipts and capital profits, etc. (See foot-note 2)			
(b)	Profits of, and receipts relating to, any business situated outside India (See foot-note 2)			
(c)	Income of foreign banking companies from investments outside India (See foot-note 2)			
(d)	Expenditure or losses (if any), debited directly to published or disclosed reserves other than—			
(i)	Capital expenditure, etc. (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax)			
(ii)	Losses of any business situated outside India			
(e)	In the case of foreign banking companies proportionate administrative (overhead) expenses of Head office allocable to Indian business (See foot-note 3)		68.74	
(f)	Refund of any excess etc. (See foot-note 2)			
	Total of Item No. 6		68.74	
7.	Gross Profits for purpose of bonus (Item No. 5 minus Item No. 6)		139.72	

1	2	3	4	5	1	2	3	4	5
Gross Profits, as per First Schedule			139.72		funds in India bear to its total world working funds			32.06	
Deduct: Prior Charges as per sec. 6 of the Payment of Bonus Act					(iii) 5 per cent of such amount as bears the same proportion to its total disclosed reserve as its total working funds in India bear to its total world working funds				
(a) depreciation admissible as per provision of 32(i) of the I/Tax Act	6.71				(iv) any sum which in respect of the a/c year, is deposited by it with the Reserve Bank of India under subclause (ii) of clause (b) of subsection (2) of Sec. 11 of the Banking Companies Act, 1949 not exceeding the amount required under the aforesaid provision to be so deposited		14.84		
(b) Development Rebate/ allowance under the I/Tax Act	..								
(c) Any direct tax payable	..								
(d) Further sums as per third Schedule :									
Foot Note									
(1) If, and to the extent, charged to Profit and Loss Account.									
(2) If, and to the extent, credited to Profit and Loss Account.									
(3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated Profit and Loss Account, adjusted as in Item No. 2 above only).									
Total H.O. Administration Expenses	£692.211								
	at Rs. 18								
		Rs. 124.60							
H.O. Administration expenses allocable to India.									
Indian Gross Profit as per First Schedule (i.e. Item 7)	..	Rs. 208.45							
World Gross Profit :									
As per consolidated Profit and Loss A/c	£1257.000				Total of (a) to (d)	..	69.7		
at Rs. 18	..	Rs. 226.26			AVAILABLE SURPLUS	..	70.01		
Add					ALLOCABLE SURPLUS (60% of the available Surplus)	..	42.00		
(a) Provision for bonus to employees	..	..			Add amount of "set-on" from previous year	..	Nil		
(b) Provision for depreciation £150.00 @Rs. 18, Rs. 27.00	..	..			Total amount available for Bonus Payment	..	42.00		
(c) Provision for Development Rebate Reserve	..	..			Amount to be "set-on"/"set-off" to next year (i.e. year 1968)	..	Nil		
(d) Provision for Any other Reserve	..	..					
			Rs. 253.26						
Let $x =$ H.O. Administration expenses allocable to India									
$x = (208.45 - x) \times 124.60$									
	253.26								
$253.26x = 208.45 \times 124.60 - 124.60x$									
$253.26x = 2597287.00 - 124.60x$									
$253.26x + 124.60x = 2597287.00$									
$377.86x = 2597287.00$									
$x = 2597287.00$									
	377.86								
$\therefore x = 68.74$									
Item 2 (i) the dividends payable (Proviso 2) to its preference shareholders for the accounting year									
(ii) 7.5 per cent of such amount as bears the same proportion to its total paid up equity share capital as its total working									

नई दिल्ली, 16 फरवरी, 1981

का० आ० 719.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के प्रत्युत्तर में श्री ए० चौहान के स्थान पर श्री ए० बी० चावला, उप सचिव को कर्मचारी राज्य बीमा निगम में सदस्य के रूप में नामनिबिट किया है;

अथ०, श्रव, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के प्रत्युत्तर में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 850 (अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अधार्तः—

उक्त अधिसूचना में, “(राज्य कर्मचारों द्वाया धारा 4 के खण्ड (ग) के अधीन नामनिबिट)” शीर्षक के नीचे मद 7 के मामते की प्रविटि के स्थान पर निम्नलिखित प्रविटि रखी जाएगी, अधार्तः—

“श्री ए० बी० चावला,

उप सचिव,

भारत सरकार,

श्रम मंत्रालय,

नई दिल्ली।”

[संख्या यू-16012/3/81--एच० आई०]

एस० एस० महानामन, उप-सचिव

New Delhi, the 16th February, 1981

S.O. 719.—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees State Insurance Act, 1948 (34 of 1948) nominated Shri N. B. Chawla, Deputy Secretary as a member of the Employees' State Insurance Corporation, in place of Shri A. Poonen;

Now, therefore, in pursuance of section 4 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 850(F), dated the 21st October, 1980, namely :—

In the said notification, under the heading “(Nominated by the Central Government under clause (c) of section 4)”, for the entry against item 7, the following entry shall be substituted, namely :—

“Shri N. B. Chawla,
Deputy Secretary,
Government of India,
Ministry of Labour,
New Delhi.”

[No. U-16012/3/81-HI]

S. S. SAHASRANAMAN, Dy. Secy.

का० आ० 720.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घे) के प्रत्युत्तर में श्री जी० आलाकुण्ठन के स्थान पर श्री हरवद्यालमिह, सचिव, पंजाब सरकार को कर्मचारी राज्य बीमा निगम में उम राज्य का प्रतिनिधित्व करने के लिए नामनिबिट किया है;

अत०, श्रव, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के प्रत्युत्तर में, भारत सरकार के श्रम

मंत्रालय की अधिसूचना संख्या का० आ० 850 (अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अधार्तः—

उक्त अधिसूचना में, “(राज्य कर्मचारों द्वाया धारा 4 के खण्ड (घे) के अधीन नामनिबिट)” शीर्षक के नीचे मद 22 के मामते की प्रविटि के स्थान पर निम्नलिखित प्रविटि रखी जाएगी, अधार्तः—

“श्री हरवद्याल मिह,

सचिव,

पंजाब सरकार,

स्कॉल्य एवं परेक्याए कन्वाण विभाग,

चंडीगढ़।”

[संख्या यू-16012/5/81--एच० आई०]

ए० बी० चावला, उप सचिव

S.O. 720.—Whereas the State Government of Punjab has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Hardyal Singh, Secretary to the Government of Punjab to represent that State on the Employees' State Insurance Corporation, in place of Shri G. Balakrishnan;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading “(Nominated by the State Governments under clause (d) of section 4)”, for the entry against item 22, the following entry shall be substituted, namely :—

“Shri Hardyal Singh,
Secretary to the Govt. of Punjab,
Health and Family Welfare Deptt.,
Chandigarh.”

[No. U-16012/5/81-HI]
N. B. CHAWLA, Dy. Secy.,

S.O. 721.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Madras, in the industrial dispute between the employers in relation to the management of National Insurance Company Limited, Madras and their workmen, which was received by the Central Government on the 6th February, 1981.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
MADRAS

(Constituted by the Government of India)

Tuesday, the 27th day of January, 1981

Industrial Dispute No. 49 of 1980

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of National Insurance Company Limited, Madras-2).

BETWEEN

The workman represented by the General Secretary General Insurance Employees' Union, Flat No. 22, Agurchand Mansion, 152 Anna Salai, Madras-600002.

AND

The Regional Manager, National Insurance Company Limited, Mount Road, Madras-600002.

REFERENCE :

Order No. L-17012/16/80-D.IV(A), dated 6th August, 1980 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Monday, the 5th day of January, 1981 upon perusing the reference claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvalargal R. Suryanarayanan, General Secretary and V. Sreekumar, Joint Secretary of the Union for the workmen and of Thiru S. Jayaraman, Advocate for the management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is an Industrial Dispute between the workmen and the Management of National Insurance Company Limited, Madras-2, referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Dispute Act, 1947 by the Government of India in Order No. L-17012/6/80-D. I (A), dated 6-8-1980 of the Ministry of Labour, in respect of the following issue :

Whether the action of the management of National Insurance Company Limited Calcutta-700071 in recategorising Shri C. R. Mane, Assistant as 'Record Keeper' is justified ? If not, to what relief is the concerned workman entitled and from which date ?

(2) Facts leading upto this dispute are as follows : The Respondent Management is the Regional Manager, National Insurance Company Limited, Mount Road, Madras 2. The claim statement has been filed by the General Insurance Employees' Union, Southern Zone an affiliate of General Insurance Employees' All India Association (Bombay) representing the General Insurance Employees working in four subsidiaries, viz., (1) National Insurance Company Limited, (2) New India Assurance Company Limited, (3) Oriental Fire and General Insurance Company Limited and (4) United India Insurance Company Limited with an apex body, viz. General Insurance Corporation of India at Bombay. The Petitioner-Union represents the employees of the four Southern States, viz., Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Union Territory of Pondicherry. The reference made by the Government of India relates to re-categorisation of Shri C. R. Mane, Assistant as Record Keeper. The Respondent is a Nationalised Company having Divisional office and Branch Offices all over India. The General Insurance was nationalised under the Provisions of General Insurance Business Nationalisation Act, 1972 (Central Act, 57 of 1972). Immediately after the nationalisation of General Insurance business, the service conditions of employees was brought under one Scheme called the General Insurance (Rationalisation and Revision of Pay Scales and other conditions of service of Supervisory, Clerical and Subordinate Staff) Scheme, 1974 which came into force with effect from 27th May, 1974. As per the Scheme, the Custodian who was in charge of National Insurance Company Limited was directed to categorise the employees on the basis of the provisions of the Scheme who in turn appointed a Committee called "Categorisation Committee" to go into details of the employees' Bio-data written by the Chief Officials of the erstwhile units, which were amalgamated with National Insurance Company Limited. In accordance with the guidelines in the Scheme, the Committee constituted for the purpose of categorisation, in fact categorised the various employees under the various heads. By an amendment of the year 1975, which can be considered to be the 1st amendment of the Scheme, Clause 5 of the scheme was amended. Ex. M-8 is the copy of the 1st amendment of the Scheme, 1975. The categorisation committee went into the details of the employee Sri C. R. Mane and eventually categorised him as Record Clerk and not an Assistant. Moreover, as per the 2nd Amendment in the year 1976, any person feeling aggrieved by the decision of the custodian relating to categorisation was entitled to prefer an appeal to the Board of the Company to which the employees belong, within 60 days of the receipt of the Custodian. The aggrieved employee herein, namely Sri C. R. Mane did make representation to the Review Committee and

the Review Committee has considered the case and gave a finding that he has been properly categorised as Record Clerk. Ex. M-1 is the order of the appointment issued to the employee by Ruby General Insurance Company Limited, Belgaum Branch. Ex. M-3 gives the basic data relating to the employee wherein his grade is mentioned only as Record Clerk. On this basis his pay and allowances had been fixed in the revised scale as seen from Ex. M-4. Ex. M-4 is a statement showing the difference in emoluments paid to the employee Sri C. R. Mane. In the face of these materials, the finding of the Review Committee that the employee has been properly categorised as Record Clerk appears to be justified.

(3) That apart, the Management maintains that this Tribunal has no jurisdiction to go into the merits of the claim for the reasons mentioned in paragraphs 3 to 6 of the counter statement filed by the Respondent-Management. This question has been elaborately adverted to by this Tribunal when it gave the Award in I. D. Nos. 17 and 32 of 1980 on the file of this Tribunal. Therefore it is unnecessary for me to refer to all those grounds once over. Suffice for me to state that I uphold the contention of the Management that this Tribunal has no jurisdiction to go into the merits of the claim put forward by the employee Sri C. R. Mane.

(4) In the result, an Award is passed holding that the reference is incompetent. But in the peculiar circumstances, I direct the parties to bear their respective costs.

Dated, this 27th day of January, 1981.

T. SUDARSANAM, DANIEL, Presiding Officer

[No. L-17012/6/80-D. IV(A)]
NAND LAL, Desk Officer

WITNESSES EXAMINED

For both sides : None.

DOCUMENTS MARKED

For Workmen :

- Ex. W-1/27-9-74—Letter from the Management categorising Thiru C. R. Mane as Assistant.
Ex. W-2/4-8-73—Letter from Ruby General Insurance Company Ltd., requiring Thiru C. R. Mane to proceed to Hubli.

For Management :

- Ex. M-1/27-5-69—Appointment order issued to Thiru C. R. Mane by Ruby General Insurance Company Ltd.
Ex. M-2/17-9-74—Letter from Thiru C. R. Mane to the Chairman of the Management for payment of difference in emoluments.
Ex. M-3—Form of Thiru C. R. Mane giving service particulars.
Ex. M-4—Form for fixation of Thiru C. R. Mane.
Ex. M-5—Statement calculating the difference in emoluments of Thiru C. R. Mane.
Ex. M-6/10-5-80—Conciliation failure report.

- Ex. M-7/21-10-74—Letter from the Regional Office, Bombay to Madras office sending employee Forms A and B of Thiru C. R. Mane.
Ex. M-8/5-9-75—General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) First Amendment Scheme 1975.

SUDARSANAM DANIEL, Presiding Officer

Note : Parties are directed to take return of their documents within six months from the date of publication of this Award.

नई दिल्ली, 17 फरवरी, 1981

का० आ० 722.—केन्द्रीय सरकार ने यह नमाधारत हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विकास अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (३) के उपखण्ड (६) के उपखण्डों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संबंधा का० आ० 2420 नारीख 28 अगस्त, 1980 के द्वारा भारत सरकार टकमाल अलीपुर कलकता भी उक्त अधिनियम के प्रयोजनों के लिए 28 अगस्त, 1980 से छः मास की कालावधि के लिए लोक उपर्योगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ावा जाना अपेक्षित है;

अतः, अब, औद्योगिक विकास अधिनियम 1947 (1947 का 14) की धारा 2 के खण्ड (३) के उपखण्ड (६) के परन्तुक द्वारा प्रदत्त प्रस्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उपर्योग को उक्त अधिनियम के प्रयोजनों के लिए, 28 फरवरी, 1981 से छः मास की और कालावधि के लिए लोक उपर्योगी सेवा घोषित करती है।

[सं० एफ० एस०-11017/3/80-डी-१(८)]

New Delhi, the 17th February, 1981

S.O. 722.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 2420 dated the 28th August, 1980, the India Government Mint, Alipur, Calcutta to be a public utility service for the purpose of the said Act, for a period of six months from the 28th August, 1980;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 28th February, 1981.

[No. F. S-11017/3/80-D. I. (A)]

आवेदा

नई दिल्ली, 18 फरवरी, 1981

का० आ० 723.—भारत सरकार के नकालीन श्रम, नोजम और और पुनर्वास मंत्रालय की अधिसूचना संबंधा का० आ० 3453 नारीख 22 जितम्बर, 1967 द्वारा गठित श्रम व्यापालय (मुद्रालय नामांकन) के पीठासीन अधिकारी का पद रिक्त हुआ है;

अतः, अब औद्योगिक विकास अधिनियम 1947 (1947 का 14) की धारा 8 के उपखण्डों के अनुसरण में केन्द्रीय सरकार श्री वाहू जी देशपाण्डे को उक्त श्रम व्यापालय के पीठासीन अधिकारी के न्यू में नियुक्त करती है।

[फाइल संख्या एस० 11020/1/81-डी-१(८)]

एन० क० नारीयान्, सचिव प्रचिव

ORDER

New Delhi, the 18th February, 1981

S.O. 723.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Nagpur constituted by the Notification of the Government of India in the then Ministry of Labour, Employment

and Rehabilitation No. S.O. 3453 dated the 22nd September, 1967;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Y. G. Deshpande, as the Presiding Officer of the Labour Court constituted as aforesaid.

[F. No. S-11020/1/81-D. I(A)]

L. K. NARAYANAN, Under Secy.

New Delhi, the 17th February, 1981

S.O. 724.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad, in the industrial dispute between the employers in relation to the management of Sijua Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad and their workmen which was received by the Central Government on the 9th February, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 44 of 1979

In the matter of an industrial dispute under S. 10(1)
(d) of the I. D. Act, 1947.

PARTIES :

Employers in relation to the management of Sijua colliery
of Messrs Tata Iron & Steel Co. limited, Post Office
Jamadoba, District Dhanbad.

AND

Their Workmen.

APPEARANCES :

On behalf of the employers.—Shri S. S. Mukherjee,
Advocate.

On behalf of the workmen.—Shri S. Bose, Secretary,
Rashtriya Colliery Mazdoor Sangh, Dhanbad.

STATE : BIHAR.

INDUSTRY : COAL.

Dhanbad, 4th February, 1981

AWARD

This is a reference under S. 10 of the I. D. Act, 1947. The Central Government by its notification No. L-120012/78/79 D. III(A) dated 28th June, 1979 has referred this dispute to this Tribunal for adjudication on the following points :

SCHEDULE

"Whether the demand of the workmen of Sijua Colliery of Messrs Tata Iron & Steel Company Limited, Post Office Jamadoba, District Dhanbad that Shri Balwant Ram, Moulder should be placed in Category VI, is justified. If so, to what relief is the said workman entitled?"

2. The concerned workman has been a permanent workman of Sijua colliery since 1966 in the capacity of a Moulder. While fixing his scale of pay the management placed him in category V. The workman's grievance is that his pay should have been fixed in the time scale of category VI. He was then put in Moulder Grade II instead of Moulder Grade I. On his protest the workman was assured that his case would be considered and settled so that he would not suffer any monetary loss in due course, but nothing was done. By his letter dated 23/24-9-75 the Senior Manager of the colliery informed the workman that he would be engaged to work in category VI and paid the acting allowance for the same. The workman had appeared in trade test under the management and by a letter dated 2/3-10-74 the manager of the colliery informed the workman that he had passed the

trade test for category VI Moulder which was held on 23-8-74. It so happened that prior to the trade test the workman had applied for employment as Moulder/coal maker in Bokaro Steel Plant through the colliery management for issue of 'No objection' certificate. But the colliery management refused to grant him 'No objection' certificate under letter dated 30-1-74. The workman's grievance is that the management neither allowed him to leave the concern for better prospect elsewhere nor considered his case for proper pay scale. According to him this was an unjust action on the part of the management which amounted to unfair labour practice.

3. The management's case is that as per Coal Wage Board's recommendation in 1967 the concerned workman Shri Balwant Ram was placed in category V. He had not passed the trade test for promotion to higher category subject to vacancy in that category. Shri Balwant Ram along with other moulders in category V were given chance to appear in trade test for the post of Moulder category VI. But he did not appear in the trade test first held on 23-11-72. In that trade test Shri K. K. Sinha, Moulder category V passed the trade test and was promoted to fill the vacancy in category VI Moulder. Another trade test was held on 23-4-73 in which Shri Balwant Ram could not succeed. He however, appeared in the next trade test held on 23-8-74 and passed the same, whereafter he was eligible for promotion to category VI moulder subject to vacancy occurring. According to the management there has been no vacancy in category VI on which the concerned workman could be promoted, and therefore he has not been promoted yet. The case was also considered by the Central Grievance Committee which found that his promotion to higher category i.e. category VI was not justified in absence of any vacancy. The management has further said that the concerned workman had applied for 'No objection' certificate for filing an application for appointment in Bokara Steel Plant and had applied directly to the Steel Plant. He should have applied through the colliery management and since he had not done that no separate 'No objection' was issued to him.

4. On behalf of the management six documents have been filed. Ext. M1 is the service card of the workman, Ext. M2 is Grievance Form No. III dated 27-8-75, in respect of the concerned workman filed before the Group Joint Committee. Ext. M3 is the minutes of the Group Joint Committee held on 31-10-75. Ext. M4 is letter No. ASMG/2222/90 dated 18/11-11-75. Ext. M5 is letter No. ASMG/126/90 dated 17/20-1-76 from the Ag. Asst. Chief Mining Engineer, Sijua Group to the Secretary, Central Joint Grievance Committee. Ext. M6 is a letter dated 14/15-9-76 from the Chief Engineer, Collieries to the Secretary, Central Joint Grievance Committee.

5. Through these documents the management has tried to show that the concerned workman was working as category V Moulder and he was never required to do any job of category VI Moulder. Further, the amount of work did not justify appointment of more than one Category VI Moulder. This was the view taken by the Grievance Committee before whom the concerned workman raised his grievance. On this point the concerned workman gave his evidence and also examined WW-2 Shri Ram Rai Singh a Moulder in category VI in Malkera colliery of TISCO. According to WW-2 he had seen Shri Balwant Ram working over jobs which are performed by the witness. The concerned workman, Shri Balwant Ram, WW-1 has said that he has attained proficiency in preparing drawings independency and can do the moulding work without any guidance of any superior officer.

6. From the evidence adduced it is not possible to conclude as to whether the concerned workman was doing the job of category VI Moulder in order to justify a relief that if he was doing the job of category VI Moulder he should be paid for that job. The picture with regard to the job of category V and VI has not been clearly presented before me so as to take accurate conclusion. But this much is true that the concerned workman has passed the trade test and is eligible for working on job of category VI Moulder.

7. The management has taken a plea that in ordinary course the concerned workman could have been promoted to the job of category VI Moulder, but such a promotion is subject to vacancy in that category. It is true that according

to the management they had to judge as to how many posts there should be in category VI. It appears that they do not think that there should be more than one post of category VI Moulder into the amount of work to be done. According to the management one Shri Shyam Kumar Prasad and the concerned workman passed the trade test together. The concerned workman in his evidence as WW-1 has admitted that Shri Shyam Kumar Prasad is senior to him. It means that in normal course if a vacancy was to arise in category VI, Shri Shyam Kumar Prasad would be filling that vacancy and not the concerned workman. So far as Shri Balwant Ram is concerned he may not get a chance to be placed in category VI until some more posts in category VI is created because the present incumbent Shri K. K. Sinha and the next man Shri Shyam Kumar Prasad may be in the same group as Shri Balwant Ram. It is under this peculiar circumstance that Shri S. Bose representing the workman has taken a stand which I am going to consider in the subsequent paragraph.

8. Now the documents filed on behalf of the concerned workman are 9 in number. He obtained National Trade Certificate, Varanasi which is Ext. W. L. Ext. W. 2 is original Apprenticeship letter dated 1-7-63. Ext. W. 3 is letter of appointment dated 28-12-65 from the Manager, Sijua colliery. Ext. W. 4 is confirmation letter dated 1-4-66 issued to the concerned workman, Ext. W. 5 is a letter dated 12/13-7-73 from the Chief Mining Engineer, TISCO, Jamadoba to Shri Balwant Ram. This is the letter on which Shri Bose has placed his reliance which I will discuss later. Ext. W. 6 is a letter dated 2/3-10-74 from Manager, Sijua Colliery to Shri Balwant Ram stating that he had passed the trade test for category VI Moulder held on 23-8-74. Ext. W. 7 is certificate by Manager of Mewalal Casting Iron Foundry, Varanasi. Ext. W. 8 is a certificate issued by Chotanagpur Engineering Works, and Ext. W. 9 is an interview letter granted by TISCO to the concerned workman for the post of Assistant Foreman, Foundry & Pattern Making. No other exhibit is very material for the purpose of our discussion here except Ext. W. 5 because the rest deal with the qualification and suitability for some higher assignment. It has not been denied by the management and the simple case of the management is that they were not going to promote him to the job of category VI Moulder for want of vacancy in that category. Shri Bose has in fact taken the plea of unfair labour practice. His submission is that the concerned workman had a grievance that his case was not sympathetically considered by the management while fixing the initial salary in category V. According to him he was qualified to hold the job of category VI. But that as his grievance was not rectified he wanted to seek a job elsewhere. He got an opportunity to apply in the Bokaro Steel Plant over a job of equivalent to Grade I Moulder. This he did even before he passed the trade test for category VI Moulder held by the management. The colliery management refused to grant him 'No objection' certificate. According to the management such a certificate was not issued because the concerned workman should have applied through the colliery management instead of making a prayer for issue of a 'No objection' certificate. Shri Bose has referred to Ext. W. 5 which I would rather quote below:

"TATA IRON AND STEEL COMPANY LIMITED.

JAMADOBA

No. JMB/477/67567

Dated 12/13th July, 1973

Shri Balwant Ram,

Moulder.

Sijua Colliery.

Thro : The Manager, Sijua colliery.

Dear Sir,

Please refer to your application dated 5-7-73 addressed to the Personnel Manager, Bokaro Steel Limited for the post of sand slinger operator, through us.

We regret our inability to forward the application and the same is returned herewith along with all other papers and the postal order.

Yours faithfully,

Sd/- Illegible

Chief Mining Engineer."

9. There would have been some justification for the management to refuse 'No objection' certificate if only that thing was demanded by the concerned workman. Ext. W. 5 which is a document of the management in this respect clearly says that the workman submitted his application through the management which was considered by the Chief Mining Engineer, the highest authority of the company on the mechanical side. It means that the management of TISCO for reasons of their own did not permit the concerned workman to seek an employment elsewhere on a job suited to his qualification. It has not been denied that the post for which the concerned workman had applied was equivalent to that of a Grade I Moulder. Atleast the concerned workman has stated this in his evidence, and no counter evidence has been adduced to rebut it. So we should take it that the concerned workman was denied an opportunity to be appointed on the post of grade I Moulder, i.e. a job in category VI when his application was not forwarded to Bokaro Steel Plant and all his papers were returned to him. I need not put any stress on this principle that any employer should not stand in the way of a workmen when he desires to better his future carrier. In the instant case the concerned workman was junior to two persons viz. Shri K. K. Sinha and Shri Shyam Kumar Prasad and therefore in ordinary course his prospects of promotion was blocked by refusing to forward his application for seeking a better carrier. The management not only blocked his future carrier elsewhere but future carrier in their own concern. Shri Bose has therefore rightly contended that this action on the part of the management would amount to unfair labour practice. Atleast this much is true that the action of the management in refusing to forward his application for consideration by the Bokaro Steel Plant must be regarded as unjust and inequitable. In my experience as the Tribunal Judge I have noticed on some occasions that colliery management have refused permission to workman to apply elsewhere for better job by reason of their own work suffering as a result of suitable and experienced workmen leaving their concern. But in that eventuality the employers have always considered the case of these workmen for promotion to a higher category and in fact such workmen have been duly promoted. In this particular case the concerned workman was neither allowed the post of category VI Moulder nor his application was forwarded. The only course then open to the concerned workman was to resign in order to seek better employment. I do not think that the management should have put the concerned workman to such an embarrassing and miserable situation by their conduct in refusing to forward his application and allowing him to suffer in his old job of category V Moulder.

10. Thus, having considered all aspects of the case I hold that the demand of the workmen of Sijua colliery of Messrs Tata Iron and Steel Company Limited, Post office Jamadoba, District Dhanbad that Shri Balwant Ram, Moulder should be placed in category VI is justified. Consequently, Shri Balwant Ram should be deemed to be placed in category VI Moulder with effect from the date on which the management of Tata Iron & Steel Company Limited, Post office Jamadoba, District Dhanbad refused to forward his application i.e. 12th July, 1973. I must make it clear that although it may not technically be called a regular promotion, he should be atleast paid the wages of category VI with effect from 12-7-1973. He will therefore be entitled to receive all the back wages and other emoluments w.e.f. 12-7-73.

This is my award.

T. P. SINGH, Presiding Officer
[No. L-20012/78/79-D. III(A)]

New Delhi, the 18th February, 1981

S.O. 725.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad, in the Industrial dispute between the employers in relation to the management of Ena Colliery of Messrs Bharat Coking Coal Limited, Post Office Dhansar, District Dhanbad and their workmen, which was received by the Central Government on the 11th February, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

Reference No. 30 of 1979.

In the matter of an industrial dispute under S. 10(1)(d) of the I. D. Act, 1947.

PARTIES :

Employers in relation to the management of Ena colliery of Messrs Bharat Coking Coal Limited, Post office Dhansar, District Dhanbad.

AND

Their workmen.

APPEARANCES :

On behalf of the employers.—Shri B. Joshi, Advocate.

On behalf of the workmen.—Shri B. Bose, Secretary, Rastriya Colliery Mazdoor Sangh Dhanbad.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 7th February, 1981

AWARD

This is a reference under S. 10 of the I. D. Act, 1947, The Central Government by its notification No. L-20012/241/78-D. III(A) dated 23rd May, 1979 has referred this dispute to this Tribunal for adjudication on the following points :

SCHEDULE

"Whether the demand of the workmen of Ena colliery of Messrs Bharat Coking Coal Limited, Post office Dhansar District Dhanbad that Shri Alok Nath Dey should be placed in Clerical Grade-I as Loading Supervisor is justified ? If so, to what relief is the said workman entitled and from what date ?"

2. Shri Alok Nath Dey, the concerned workman was appointed on 14-12-54 as Pit Munshi in Ena colliery. Since April 1973 he was deputed to perform duty in the loading section where he continues to serve. According to the concerned workman the job performed by him is at par with the job requirement of a loading supervisor. Another supervisor Shri Ambika Prasad Singh is paid wages of clerical grade I whereas the concerned workman is being paid his original Munshi's wages in clerical grade III. Shri Ambika Prasad Singh looks after the despatch by truck from Era colliery depot whereas Shri Alok Nath Dey supervises the entire operation of receiving coal transported by truck load and getting them loaded and despatched by railway wagons at No. 2 Siding situated at Dobari which is at a distance of 3 kms. from Ena colliery. The case of the concerned workman is that in view of the job performed by him Shri A. N. Dey he should also be placed in clerical grade I rate of wages at par with Shri A. P. Singh.

3. The workman himself and through his union raised the issue to regularise him as loading supervisor by placing him at clerical grade I rate of wages, but no reply was ever received from the management. Thereafter the matter was represented by the union through their letter dated 26-9-78 before the ALC(C) Dhanbad who took up the matter with the management through his letter dated 10-11-78. The ALC(C) Dhanbad held conciliation proceeding which ended in failure due to the adamant attitude of the management and on failure report submitted by the ALC(C) Dhanbad through his letter dated 23-12-78 this present reference was made to this Tribunal for adjudication.

4. The case of the concerned workman is based on the well settled principle that a workman should be paid remuneration according to the nature of job performed by him, and that he should be paid wages in the time scale of clerical grade I i.e. Rs. 245-10-325-15-385 upto 31st December, 1974, and from 1st January, 1975 under the National Coal Wage Agreement his wages should be in the scale of Rs. 442-22-618-30-678. According to him he should get 10 per cent attendance bonus also. In the prayer portion of this written statement he has claimed clerical grade I wages since April, 1973.

5. On behalf of the management a written statement has been filed. This colliery was nationalised w.e.f. 1-5-1972. This colliery used to produce 10,000 tons of coal per month at the time of nationalisation, and according to the management the production has remained more or less the same. Consequently, the despatch of coal has remained more or less the same. At the time of take over of the management Shri B. B. Sengupta was the loading supervisor and below him there was a loading clerk grade II named Shri Ambika Prasad Singh who was first appointed on 2-11-44. Below Shri A. P. Singh there were other loading staff. Shri B. B. Sengupta was superannuated on 19-2-73, and in his place Shri A. P. Singh was posted to supervise the loading operation of the colliery and he was placed in clerical grade I as loading superintendent. The concerned workman Shri A. N. Dey was a Pit Munshi and 10 years junior to Shri A. P. Singh. At the time of take over of the management he was in clerical grade III. He was given the job of loading munshi which was equivalent to the job of pit munshi, and was placed under Shri A. P. Singh.

6. According to the management when Shri A. P. Singh was placed as loading supervisor, Shri A. N. Dey was asked to perform the duties of Asstt. loading clerk although with his designation as loading munshi because there was no difference in the grade. Shri A. P. Singh was promoted from clerical grade I to a Spec'l grade from 7-9-77. The management proposed to promote Shri A. N. Dey from Asstt. loading clerk to the post of loading clerk and thereby to place him in clerical grade II. Shri Dey however did not agree to this promotion with the result that he continues to be Asstt. loading clerk in clerical grade III.

7. The management has said that there is one railway siding for despatch of wagons from there 9 to 10 box wagons on the average are loaded daily. For this purpose of loading the management has one loading superintendent, one Asstt. loading clerk, 2 loading munshies and 2 subordinate staff. The plea of the management is that the management has more personnel than necessary to conduct the loading operations. The management has said that the concerned workman has been claiming to be loading supervisor without any basis. The colliery has already a loading superintendent i.e. Shri A. P. Singh and there is no necessity for appointing another loading supervisor. According to the management Shri A. N. Dey is maintaining the records concerning the coal loading operations and has been rightly placed as Asstt. loading clerk in clerical grade III. The duties of loading clerk are to maintain the records concerning coal loading operations and to supervise wagon loading by giving necessary directions and instructions to the loading munshies and under staff.

8. In the rejoinder to the management's written statement the workman has tried to explain that on retirement of Shri B. B. Sengupta, Shri A. P. Singh was placed in a new post of loading superintendent, and the post of loading supervisor has since been lying vacant but the job attached to that post has been performed by Shri Dey.

9. The management has proved certain documents through their witness MW. 1 Shri G. M. S. Johar. He was working in Ena colliery since April, 1976 as manager. He continued to work in the same colliery as Superintendent of Mines since 1977. His evidence is that Shri A. P. Singh was appointed on 2-11-44. In order to show this he has proved entries Exts. M1 in Form B register. Similarly Ext. M2 has been proved by him from Form B register in order to show that Shri A. N. Dey the concerned workman was appointed on 14-11-54. He has also proved Ext. M3 which is an abstract of identity card register prepared under his guidance. There are four leave applications of Shri A. N. Dey. Exts. M4, Ext. M4/1 to Ext. M4/3. The witness has proved Ext. M5 to Ext. M5/7 which are challans in the pen of Shri A. N. Dey and Shri R. C. Orang (munshi) and Shri A. P. Singh, loading superintendent. The loading of trucks at the pit head were under these challans had been under the supervision of the aforesaid 3 persons. Then there is Ext. M6 the posting register in respect of wagon loading at the railway siding. It was written by Shri Sarju Singh the loading munshi and countersigned by Shri A. P. Singh the loading superintendent. His evidence is that Shri Sarju Singh was doing the loading

operation at the railway siding under the supervision of Shri A. P. Singh. We have thereafter Ext. M7 & Ext. M8 which are registers showing the transportation of coal from the pit head to the railway siding. The witness has said that Shri A. N. Dey was doing the posting job in respect of truck transportation. He has also proved Ext. M9 the register prepared on the basis of Ext. M6. The witness has proved 5 monthly statement of wagon loaders as prepared by Shri A. N. Dey. These have been marked Exts. M10 to M10/4. Ext. M10 series are for reconciling the man power for billing. Then we have Ext. M11 which is a record of loading at Rajapur Project written in the pen of Shri A. N. Dey. Then again there is Ext. M12 a wage register in respect of wagon loaders of Ena colliery who had worked in Rajapur Project. This was also written by Shri A. N. Dey. The witness has said that through all these documents he has tried to prove that Shri Dey was performing the duties of a loading clerk only.

10. On behalf of the workman, WW-1 Shri Alok Nath Dey has been examined. He has admitted that he had joined in Ena colliery in 1954 as pit munshi and he came in the loading section on 3rd April, 1973 when Shri B. B. Sengupta was loading supervisor. The witness then said that Shri Sengupta retired in December, 1972, and when he joined in April, 1973 in the loading section he was required to look after the job of loading supervisor which was previously performed by Shri Sengupta. He has said that the railway siding of Ena colliery was then in the colliery premises but it was shifted to Demari No. 2 siding at a distance of 3 kms. from Ena colliery. He has further said that ever since he joined the loading section his duty has been on the railway siding and continues to be so. According to him Shri A. P. Singh looks after the loading work of road transport from the colliery premises to the railway siding. The duty of the witness Shri A. N. Dey is to despatch the coal from the railway siding. The witness has proved Ext. W.1 which is an office order signed by the manager, Ena colliery Shri A. N. Jha. A similar office order Ext. W. 2 has also been proved by the witness. The witness has proved Ext. W. 3 an office order signed by Shri G. M. Singh the manager of Ena colliery. He has also proved Ext. W.4 which is a letter dated 4-3-78 signed by Shri G. D. Pandey, Secretary, Rashtra Colliery Mazdoor Sangh. The reminder is Ext. W.5. The 2nd reminder is Ext. W.6. The witness has claimed that he worked independently and not at the direction of Shri A. P. Singh. In this cross-examination the witness has said that Shri B. B. Sengupta superannuated on 19-2-73 which showed that he made confusion in his evidence when he said that Shri Sengupta retired in December, 1972.

11. The above is the case of the parties and the evidence adduced in this case. Shri A. P. Singh who is a loading superintendent was in clerical grade II at the time when the Government took over the management of the colliery. He was rightly placed in clerical grade I, when Shri B. B. Sengupta retired in February, 1973. Sometime in 1977 Shri A. P. Singh got another promotion when he was placed in clerical grade Special. But at the time of take over Shri A. N. Dey was in clerical grade III and even now he continues to be in that grade. It is true that Shri A. P. Singh was appointed in the year 1944 and Shri A. N. Dey in 1954. But at the time of take over Shri A. P. Singh and Shri A. N. Dey were two old employees of the colliery dealing with loading and transportation of coal from Ena colliery. Shri A. N. Dey does not appear to have any grievance on this score that in due course the management promoted Shri A. P. Singh from grade II to grade I and then to Special grade. His grievance is that while Shri A. P. Singh has been allowed promotion he has been kept stationary in clerical grade III. In this connection I would like to refer to certain papers forming part of conciliation proceeding. There is one letter of the Personnel Manager, Kustore Area to ALC(C) Dhanbad. It was in connection with an industrial dispute in Ena colliery for proper designation and pay scale of Shri A. N. Dey. In paragraph 1 of the letter it was disclosed that a dispute had been once raised earlier before the ALC(C) Dhanbad vide conciliation case No. 211/77/D-2 in which the management had furnished written statement. The dispute was discussed at length during conciliation proceeding where it was established that there was no merit in the union's case for the placement of Shri A. N. Dey from grade III to grade II as loading clerk. It was asserted even in this conciliation

proceeding that Shri A. N. Dey was rightly placed in clerical grade III with no justification for being placed in clerical grade II or grade I. It is relevant for our discussion because even that earlier dispute was raised towards the end of 1977. It means that while Shri A. P. Singh was given a special clerical grade from clerical grade I, Shri A. N. Dey was not even considered suitable for promotion to clerical grade II. I have already said that Shri A. N. Dey was a staff next to Shri A. P. Singh in seniority. In this case nothing has been shown from the colliery records or in evidence as to why promotion was denied to Shri A. N. Dey. There is nothing to indicate that he was an inefficient worker. Shri Joshi, Advocate appearing on behalf of the management has said that Shri A. N. Dey was offered clerical grade II which he refused. He also tells me that had he not refused he should have been now in clerical grade I for which this reference has been made. It shows that for some extreaneous reason, and not for efficiency in his work, promotion from clerical grade III to grade II and grade II to grade I has been denied to the concerned workman.

12. It is in the context of the above discussions that we should consider some of the documents placed on behalf of the workman. Ext. W. 1 is a letter from the manager, Ena colliery dated 8-12-75. It is addressed to Shri Ambika Prasad Singh and Shri A. N. Dey describing them as loading supervisors of Ena colliery. In this letter both of them were pulled up as they were not found to supervise the loading at Dobari No. 2 siding although the wagons were loaded. The lapses were found during the inspection of the Assistant Sales Executive, Area No. VIII.

13. The next document is Ext. W.2. It was addressed to all loading supervisors with copies to Shri A. P. Singh and Shri A. N. Dey. This letter dated 12-12-1975 has been signed by the manager, Ena colliery. They were instructed not to engage any casual in loading work and not to allow any middle man to operate in any capacity. Ext. W.3 is a letter dated 28-3-77 signed by the manager, Ena colliery and addressed to loading supervisors. A copy was given to Shri A. N. Dey as shown from the endorsement on the back of this letter. Now these three documents starting from 8-5-75 to 28-3-77 will go to show that Shri A. N. Dey has been treated by the manager of Ena colliery as loading supervisor. In fact the colliery manager treated Shri A. P. Singh and Shri A. N. Dey at par with each other. It is clear that although for reasons of their own the management did not promote Shri A. N. Dey from clerical grade III to Grade II or grade I, the colliery manager at least during the period covered by these letters took the work of loading supervisor from him. MW-1 has said that a colliery manager has no power to grant promotion and so the description of Shri A. N. Dey in all these letters as loading supervisor should have no legal significance. Shri S. Bose, representing the workman in his capacity as Secretary, Rashtriya Colliery Mazdoor Sangh has said that he has been careful in taking his plea in this case which is not resting on the question of promotion. What he means to say is that Shri A. N. Dey was asked by the management to perform the duties of loading supervisor and he has proved by documents of the colliery management that the duties of loading supervisor had been taken from him. He has further argued that MW-1 has said that the documents proved by him for the management would go to show that he was doing the duties of loading clerk. He has pointed out that some of the documents and registers proved by him would also go to show that Shri Ambika Prasad Singh was also doing the same duties as Shri A. N. Dey. But Shri Bose has made it clear that even if the management took the work as a loading clerk from Shri A. N. Dey and at the same time took work as loading supervisor, the case of the concerned workman cannot be defeated. What he means to say is that if it could be ascertained that Shri A. N. Dey was doing the duties of a loading supervisor, as in this case been done, he should not be deprived of his wages of loading supervisor. It is true that the aforesaid three documents, Exts. W. 1 to W.3 clearly show that Shri A. N. Dey performed duties of loading supervisor along with Shri Ambika Prasad Singh. They were both chastised for not doing their duties properly at the railway siding when surprise checking was made by some superior officer of the Area Headquarters. Both of them were given instructions not to engage casual labour or middle man for the purpose of loading work. Now nothing could be clearer than this that from December 1975 onwards Shri Alok Nath

Dey was doing the duties of loading supervisor although his status officially continued right from April, 1973 in clerical grade III. We are not dealing with the question as to whether he should have been promoted in due course as this is not the stand taken by the union representing the workmen. But this much is true that on behalf of the workmen it has been shown by documents that from December, 1975 Shri Alok Nath Dey has worked as loading supervisor.

14. In this connection it may be mentioned that in the written statement filed by the union the claim for payment as loading supervisor to Shri A. N. Dey is clerical grade I has been made since April, 1973. But it was since April, 1973 that Shri A. N. Dey had been brought to the loading section from Pit site as loading munshi. It does not stand to reason that no sooner he came to the loading side he started doing the work of loading supervisor. Since the onus of proving that the concerned workman worked as loading supervisor is on him, we have to base our conclusion on positive evidence. I must repeat that the claim for clerical grade I wage is not based on promotion but on the performance of the job by the concerned workman. In the instant case there is positive evidence as shown by Ext. W.1 that Shri A. N. Dey was designated as loading supervisor on 8-12-75. He has been designated as such upto 28-3-77 as shown by Ext. W. 3. The evidence of the concerned workman that there is no change of his duty and this has not been refuted. So we can safely say that Shri Alok Nath Dey is doing the duties of loading supervisor even after 28th March, 1977.

15. Thus having considered all aspects of the case, I have to hold that the demand of the workmen of Ena colliery of Messrs Bharat Coking Coal Limited, Post Office Dhanbad, District Dhanbad that Shri Alok Nath Dey should be paid wages of Clerical Grade-I as Loading Supervisor is justified. Consequently, he will be entitled to the wages of clerical grade I as Loading Supervisor with effect from 8th December, 1975. He will be also entitled to all back wages and other emoluments with effect from 8th December, 1975 appertaining to clerical grade-I as loading Supervisor.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012/241/78-D.III(A)]

S.O. 726.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkhurkee, District Dhanbad and their workmen, which was received by the Central Government on the 11th February, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 99 of 1979

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post office Nudkhurkee, District Dhanbad.

AND

Their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate

On behalf of the workmen—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh, Dhanbad

STATE : Bihar

INDUSTRY : Coal

Dhanbad, 6th February, 1981

AWARD

This is a reference under S. 10 of the I. D. Act, 1947. The Central Government by its notification No. L-20012/241/79-D.

III(A) dated 31st July, 1979 has referred this dispute to this Tribunal for adjudication on the following points

SCHEDULE

"Whether the action of the management of Madhuband colliery of Messrs Bharat Coking Coal Limited, Post office Nukhurkee District Dhanbad in terminating the services of Shri Fulu Mahato, loader with effect from the 25th August, 1977 in the name of compulsory superannuation, is justified ? If not, to what relief is the said workman entitled ?"

2. The concerned workman had been working as loader in Madhuband colliery before the take over and nationalisation of the coal industry by the Government. He continued to work as loader in the same colliery even after the take over and nationalisation. He was issued identity card No. 00,4244 ML by the management of Madhuband colliery. According to the identity card the date of birth is 15-7-1929. In the Form B register also the same date has been mentioned. According to the workman he was never found negligent in his work, but to his surprise he received a letter from the Manager of the Madhuband colliery dated 28-8-77 terminating his services on the ground of compulsory retirement/superannuation on attaining the age of 60 years. His services were therefore terminated w.e.f. 25-8-77 alleging that the medical board had declared him to be of 60 years of age. The workman complained to the manager of the colliery explaining his case. But he was stopped from duty w.e.f. 25-8-77. When his grievance was not met in the colliery he raised an industrial dispute on failure of which this reference was made.

3. The case of the management is that the concerned workman used to be a miner/loader. His place of duty was at the working face requiring sufficient physical energy in his duty of cutting and loading of coal. The miners/loaders are deputed in gang in the working faces and are paid on piece rate basis. The concerned workman was found weak and was practically incapable of subscribing his share of workload in the gang in which he was included. The mine officials complained to the authority that the concerned workman was old and infirm and was incapable of performing his duties. The management checked the date of birth of the concerned workman as recorded in the colliery records and compared the performance of the concerned workman and came to the conclusion that the date of birth as shown in the records could not be correct. The management therefore sent the concerned workman for medical examination by the medical board consisting of Doctors of Baiora area on 14-2-77 for determination of his age and general physical capacity. The medical board declared his age as 60 years. Due to conflict between the date of birth recorded in the colliery records and the date of birth obtained from the medical examination, the matter was kept in abeyance and the higher officials personally verified the performance of the concerned workman. They were satisfied that the concerned workman was physically unfit due to old age and infirmity to perform the duties of miner/loader underground. The gang workmen also refused to take him in the gang, and as a result the concerned workman had to approach to the management by his letter dated 28-6-77 for giving him a light job on the surface. The management made sincere effort to provide him with light duty, if possible, but failed to find out any such duty. It is under this background that the management terminated the services of the concerned workman w.e.f. 25-8-77 by way of superannuation after accepting the report of the medical board.

4. The management has filed the report of the medical board in two sheets which are Exts. M1 and M2. The report shows that in the right eye and left eye there was immature cataract. His blood pressure shows 150/86 which is a little on the higher side. No other defect was found in the system. In Ext. M1 there is a remark column stating immature cataract in both the eyes and operation was advised. In both these documents the age determined by the board is stated to be 60 years. The management has also filed papers, Exts. M3, M4 and M5 to show that after his order of superannuation, the concerned workman applied for receiving gratuity and the amount of gratuity was determined. One office

circular, Ext. M6 has also been filed which is dated 19-7-77 issued on 26th July, 1977. In this circular the following instructions were issued :

"So far as age verification is concerned in case the age of an employee is already recorded in the P.F. record, From 'B' register and identity card the GMS will not refer such cases to medical boards. Only in cases where the age of an employee is not recorded in the above mentioned records or is in variation leading to dispute and it is challenged by the employee, such a reference should be made to the medical board with specific terms of reference."

This circular therefore lays stress on the fact that if in Form 'B' register and identity card the age could be correctly ascertained such cases should not be referred to the medical board. This circular was issued in the month of July, 1977. In the case of the concerned workman the medical board was held in the month of February, 1977. It may be stated that this circular was not applicable. But from the circular itself it will appear that this circular had to be issued because the earlier system was not correct and required a clarity which was attained under this circular. We can safely say that it was not desirable to refer such a case because definite date of birth was already available. In the case of Shri Fulu Mahato there was a date of birth being 15-7-1929 mentioned in the Form 'B' register, in the identity card and also mentioned in the medical board's report, Exts. M1 and M2. So there was no question of any superannuation of Shri Fulu Mahato. The learned Advocate appearing on behalf of the management has conceded that it was a case of compulsory retirement on medical ground because Shri Fulu Mahato was not fit to carry on his normal duty as loader. We will consider the evidence on this point.

5. So far as Shri Fulu Mahato is concerned he has filed his identity card, which is Ext. W.2 and the order of his retirement is Ext. W1. He has examined himself as WW.2 WW-1 has said that Shri Fulu Mahato was always fit to work and the gang in which he used to work never complained to the management that Shri Fulu Mahato was not able to work properly. Shri Fulu Mahato has himself said that he was doing his work properly. But in cross-examination he has said that his physical condition did not permit him to work as miner/loader and he had demanded from the mines manager for some light work on the surface. But no light work was given to him.

6. MW-1 Dr. D. N. Pandey has been examined on behalf of the management. He was one of the doctors who had examined the concerned workman along with Dr. B. P. Singh. Ext. M1 was signed by him while Ext. M2 was signed by Dr. B. P. Singh. In his cross-examination he has said that in his report there is no mention that the Board found the concerned workman unfit for duty. He has further said that by external appearance alone the Board come to the conclusion about the age mentioned in the report.

7. It is evident that on the basis of the medical examination no scientific test was conducted to determine the age at 60 years. Moreover, the concerned workman suffered from immature cataract which could make his eye sight temporarily weak, i.e. till the cataract matured and he was operated for the same. There is nothing to indicate that he was physically weak. With regard to his physical weakness Shri P.C. Tak, MW-2 the manager of the colliery during 1977 has been examined. He simply says that Shri Fulu Mahato was not able to perform his duties properly and asked him to provide him for light job. This is not enough to show that the concerned workman was physically unfit to carry on his duty as a loader or it is likely that due to weaker eye sight he may have demanded some light work on the surface. But the management so managed that he was compulsorily retired or superannuated on the ground that he has attained the age of 60 years. I have already said that the medical board has not made him unfit for doing his normal duty and so there could be no question of his compulsory retirement. Obviously he was superannuated on the ground that he has already

attained the age of 60 years. I have mentioned that there was no justification to hold that he had attained the age of 60 years. On the other hand, the colliery record showed that he had not attained the age of superannuation.

8. Thus having considered all aspects of the case, I hold that the action of the management of Madhuband colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkhurkee District Dhanbad in terminating the services of Shri Fulu Mahato, Loader with effect from the 25th August, 1977 in the name of compulsory superannuation is not justified. Consequently Shri Fulu Mahato should be deemed to be in service with effect from 25-8-1977. He is also entitled to all the back wages and other emoluments with effect from 25-8-1977.

This is my award.

J. P. SINGH, Presiding Officer.
[No. L-20012/21/79-D-III(A)]

S. H. S. IYER, Desk Officer.

New Delhi, the 23rd February, 1981

S.O. 727.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen over alleged illegal retrenchment of 15 workmen, which was received by the Central Government on the 5th February, 1981.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT :

Sri Rupender Pershad Sahgal, B.A., LL.B., Chairman.

Dated the 30th October, 1980

Industrial Dispute No. 1/79(c)

1. Shri Y. Narendra
2. Shri A. Ramachandra Rao
3. Shri A. Nagaraja
4. Shri Mohd. Taher
5. Shri A. Jayaram
6. Shri K. Ramapatanjali
7. Shri A. Rachalaih
8. Shri Mohd. Khan
9. Shri B. Padmanabha Rao
10. Shri R. Satyanarayana Murthy
11. Shri M. V. V. Prasad
12. Shri T. Tata Rao
13. Shri G. Roop Kumar
14. Shri N. Nagaraj
15. Miss K. Sashi Rani

C/o. The General Secretary, Central
Bank of India Employees' Associa-
tion, Bank Street, Hyderabad-1, . . Petitioners

Versus

The Chief Manager, Central Bank of India,
Bank Street, Hyderabad-500001 A.P. . . Respondent
Ref : Order dated 20th March, 1979, of the Government
of India, Ministry of Labour, New Delhi.

This Central Industrial Dispute coming on for final hearing before me on the 13th day of October, 1980, upon perusing the Reference Order, claim statement, Counter and other material papers on record and upon hearing the arguments of Sri K. Narasimham, Advocate on behalf of the petitioners and Sri G. Bhaskara Rao, Advocate on behalf of the respondent and having stood over for consideration till this date the Tribunal passed the following :

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred by Section 7(a) and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred to this Additional Industrial Tribunal an industrial dispute between the management of the Central Bank of India, Hyderabad and their workmen through order dated 20-3-79 in respect of the matter specified in the schedule for adjudication, namely,—

"Whether the action of the management of the Central Bank of India, Divisional Office, Hyderabad in terminating the services of Sri Y. Narendra and 14 others listed below without notice or the payment of notice pay and retrenchment compensation as required under the provisions of Section 25-F of the Industrial Disputes Act, 1947 is legal and justified ?"

"If not to what relief are the workmen concerned entitled ?"

1. Shri Y. Narendra
2. Shri A. Ramachandra Rao
3. Shri A. Nagaraja
4. Shri Mohd. Taher
5. Shri A. Jayaram
6. Shri K. Ramapatanjali
7. Shri A. Rachalaih
8. Shri Mohd. Khan
9. Shri B. Padmanabha Rao
10. Shri B. Satyanarayana Murthy
11. Shri M. V. V. Prasad
12. Shri T. Tata Rao
13. Shri G. Roop Kumar
14. Shri N. Nagaraj
15. Miss K. Sashi Rani,

2. It is seen that the said dispute was numbered as I.D. No. 1/79 on the file of this Tribunal and notices were issued to the parties on the addresses shown in the said order after registering the dispute and served on the parties who appeared and filed their claim statement and counter respectively.

3. The contentions set out in the claim statement are briefly thus :—That the petitioners/workmen who are the employees of the respondent/management, were terminated from the service of the Bank without complying with the conditions laid down under Section 25-F of the Industrial Disputes Act, 1947. Aggrieved by the orders of termination the petitioners alongwith others filed separate Writ Petitions in the Honourable High Court. In the said petitions it was contended that the petitioners worked for more than 240 days during the period of 12 calendar months and therefore they shall be deemed to be in continuous service within the meaning of Section 25(B)(2) of the I.D. Act. That being the case, the petitioners can not be retrenched until they have been paid at the time of retrenchment compensation which shall be equivalent to 15 days' average pay for every completed year of service or any part thereof in excess of six months. As the respondent did not comply with the mandatory requirement of payment of retrenchment compensation under Section 25(F) of the I.D. Act, the retrenchment of the petitioners invalid and inoperative. That the respondent in their counter to the W.Ps. admitted that the petitioners worked for more than 240 days with breaks in a period of 12 calendar months, and that the services were terminated, but contended that the said terminations do not amount to retrenchment within the meaning of Section 2(OO) of the I.D. Act and also raised other pleas regarding the maintainability of the W.Ps. The Honourable High Court considered all the points raised by both sides and rendered a common Judgement dated 23-2-78, while holding that all the petitioners except those in W.P. Nos. 2551, 2554 and 2636 of 1976 were in continuous service for not less than one year and hence without satisfying the conditions precedent to retrenchment laid down in Section 25(F) their services could not be terminated and therefore entitled to the issue of a Writ of Mandamus, dismissed the W.Ps. on the ground that there is an alternate remedy by way of a reference under the Industrial Disputes Act. That

in view of and pursuant to the decision in the W.Ps. the Central Bank of India Employees' Association espoused the cause of the petitioners and sought reference. Thus in view of the facts narrated above the petitioners are workmen within the meaning of Section 2(S) of the I.D. Act and were in continuous service for more than 240 days during a continuous period of 12 calendar months as per Section 25(B)(2) and were retrenched from service within the meaning of Section 2(OO) of the I.D. Act without complying with the mandatory requirement of payment of retrenchment compensation as per the provision contained in Section 25(F) of the I.D. Act. Under these circumstances the retrenchment of the petitioners by the respondent/management is illegal, null and void and inoperative. Therefore they are entitled to be reinstated in service with full back wages from the date of termination to the date of reinstatement together with all other attendant benefits. Hence the claim statement.

4. The respondent filed counter to the claim statement. In the said counter it is alleged that the Central Bank of India Employees' Association is not competent to raise any dispute in respect of the petitioners who were not in the employment of Central Bank of India and the reference at its instance is not maintainable in law and this Tribunal has no jurisdiction to adjudicate the same. That the adverse findings given and the observations made by Their Lordships in several Writ Petitions do not operate as res judicata as the Writ Petitions were dismissed and the Bank has no occasion to question the correctness of the same by way of an appeal. That the termination of the services of the petitioners is not on the ground that they have become surplus to the requirements of the Bank but pursuant to the terms of the orders of appointment and as such the petitioners cannot be said to have been retrenched from service and Section 25(F) of the I.D. Act is not attracted and in such circumstances the question of retrenchment compensation and notice pay does not arise. It is also alleged that the petitioners do not come under the category of the retrenched employees as defined under Section 2(OO) of the I.D. Act for the reason that under Section 25(F) of the said Act no notice shall be necessary if the termination is under an agreement which specifies the date of the termination. In such order appointing the petitioners temporarily, the date of commencement of the appointment and the date of termination have been simultaneously mentioned and their acquiescence was called for. The petitioners have conveyed their concurrence and agreement about the terms and conditions of appointment and as such a contract was entered into by and between the petitioners concerned and the Bank. Further they have also agreed that they shall not be entitled for a regular appointment unless they were declared to have come out successful in Banks written examination and also were selected in the interview. As such they are not entitled for any notice of termination or any reinstatement with back wages. It is also alleged that Section 25(F) of the I.D. Act 1947 has no application to the petitioners because none of them were appointed at a stretch for 12 calendar months. In spite of the fact that they have completed 240 days in 12 calendar months they have not become entitled as a matter of right for a notice of termination and also not entitled to any compensation under Section 25(F). That the petitioners except Mohd. Khan and R. Satyanarayana Murthy were appointed as Clerks on temporary basis subject to their passing the written test and also qualifying themselves in the interview to be held subsequently. These terms and conditions were accepted by the said persons at the time of their original temporary appointments. That a written test was held on 19-1-75 for absorbing temporary candidates into regular service and the petitioners wrote the examination and as it came to the notice of the Bank that the petitioners have indulged in cheating during the examination, their results were rightly withheld. Hence after the expiry of the period mentioned in their last appointment order no fresh appointment orders were given to them for the above reasons and they cannot be absorbed into the regular services for their act of misconduct. For the above reasons and as no honest and reasonable efforts were made by them to seek any alternate employment elsewhere after their termination of services they are not entitled to any relief much less reinstatement with full back wages. Hence the petition is liable to be dismissed in limine.

5. It may be stated here itself that the management has filed a petition I.A. No. 17 of 1980 seeking permission to adduce evidence to substantiate its case as to the copying

of the workmen in the examination halls where the qualifying written test was conducted on 19-1-75 and to justify their action. To this petition the petitioners filed a counter affidavit and the said matter was being posted alongwith the main dispute. It is also better to state here itself that the pleas raised in the said petition were not raised in the counter to the W.Ps. filed separately by the workmen. No oral or documentary evidence adduced in this case by either of the parties except marking the copy of the judgment of Their Lordships of the A.P. High Court dated 23-2-78 in the batch of W.Ps. as Ex. W1 by consent.

6. It may be stated here itself that the petitioners in W.P. Nos. 2551, 2554 and 2636 of 1976 are not parties to the present I.D.

7. The petitioners in this reference and some others filed separate W.Ps. under Article 226 of the Constitution of India praying to issue Writ in the nature of Mandamus directing the respondent to reinstate them in service with full back wages together with all attendant benefits after declaring the orders of retrenchment dates, 26-6-76; 14-6-76; 3-1-76; 27-7-76; 15-7-74; 14-4-76; 30-5-76; February, 1975 5-8-76; 24-5-76; 8-5-76; 31-5-76; 14-6-76; 18-11-75; 15-5-76; 19-7-76; 3-4-76; 3-5-76; 30-6-76; 15-8-76; 31-7-76 and 8-3-76 respectively issued by the respondent invalid and inoperative and to direct the respondent to take them into service forthwith. It is also worth mentioning that the petitioners and some others filed W.P.M.P. Nos. 5861 to 5878 of 1977 praying to permit them to raise the following additional point in the W.Ps. by adding paragraph 6(a) after paragraph 6, namely 6(a) :-

"The respondent Bank in retrenching the petitioner from service and not reinstating him acted in violation of Article 14 and 16 of the Constitution of India as they reinstated, (1) Miss Zarina Sohel (2) Syed Mohd. Ali Khan and (3) Mohd. Rajiddin without reinstating the petitioner who is similarly situated."

8. Before going into the point in issue it is better to state a few facts as appear from the record. The petitioners who are either members of the clerical or subordinate staff of the Central Bank of India were appointed for varying periods from time to time and on the expiry of one such period of service they were not re-appointed. Of these petitioners in W.Ps. Nos. 2547; 2551 and 2556 of 1976 are clerks belonging to the Scheduled Castes and Scheduled Tribes. The petitioners in W.P. Nos. 2548; 2549; 2550; 2552; 2555; 2559; 2561; 2563; 2564; 2636; 2638 and 312 of 1976 also are all members of the clerical staff but belong to the non-Scheduled Castes and non-Scheduled Tribes. The petitioners in W.P. Nos. 2554; 2557; 2558; 2560; 2562 and 2636 of 1976 are members of subordinate staff.

9. To repeat it again the petitioners in W.P. Nos. 2551; 2554 and 2636 of 1976 are not parties to the present I.D.

10. Before the Honourable High Court the plea of the petitioners was that they actually worked for a period of more than 240 days during a period of 12 calendar months preceding the date of the termination of their services and were therefore entitled to one month's notice or one month's wages in lieu of such notice and also retrenchment compensation as envisaged by Section 25-F of the I.D. Act and that in as much as the requirements of the Section have not been complied with the termination of their services is illegal and inoperative and hence seek a Writ of mandamus directing the respondent to reinstate them into service with full back wages together with all other attendant benefits. The matter referred for adjudication to this Tribunal is whether the action of the management of the Central Bank of India, Divisional Office, Hyderabad in terminating the services of the 15 petitioners is legal and justified.

11. A careful reading of the case reveals that the issues before the Honourable High Court and before this Tribunal are one and the same. The Learned Counsel for the respondent by taking me to the contentions raised in paragraphs 3; 4 and 9 of the counter, contended that, when there is no finding on this matter by the High Court and that the findings given and the observations made by Their Lordships in the W.Ps. filed by the petitioners do not operate as res judicata as the W.Ps. were dismissed and the Bank had no occasion to question the correctness of the same. In view of the

principles laid down in a decision reported in 1957—A.I.R. (Supreme Court, page 38) Head Note 'A' it is clear that the general principles of res judicata also apply with regard to industrial disputes. Even in a case, GULABCHAND CHHOTALAL PARIKH, Appellant Vs. STATE OF GUJARAT, Respondent, reported in 1965—A.I.R. (Supreme Court, page 1153) Their Lordships of the Supreme Court while dealing with the matter under Articles 32 and 226 of the Constitution of India observed as follows : "Decision in earlier W.P.s. on merits subsequent suit involving same question and for same reliefs is barred upon general principles of res judicata". It is clear that the issues raised before the Honourable High Court and before this Tribunal are one and the same. It is better to state that the respondent/management in the counter filed to the W.P.s. admitted that the petitioners worked for more than 240 days. The Division Bench of our High Court disposed of the batch of W.P.s. filed by the petitioners herein and some others by a common Judgment dated 23-2-78 as it involved the question of law common to all the W.P.s. as to the interpretation of the expression 'continuous service for not less than one year's occurring in Section 25-F of the Industrial Disputes Act in the context of the termination of the services of the petitioners without complying the requirements of Section 25-F of the said Act.

12. The only point for consideration is whether the Bank was in the circumstances obliged to comply with the requirements of Section 25-F of the I.D. Act before terminating the services of the petitioners. In this connection it would be useful to extract Section 25-F of the I.D. Act and it reads thus :—

"25-F :—CONDITIONS PRECEDENT TO RETRENCHMENT OF WORKMEN :—No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of notice ;

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service ;

(b) the workman has been paid, at the time the retrenchment, compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the Official Gazette)."

The fact that all the petitioners have put in more than 12 months of service and have also worked for not less than 240 days within a period of 12 months immediately preceding the date of termination is not disputed. It is not disputed that for the application of Section 25-F of the Industrial Disputes Act the petitioners should have been in continuous service for not less than one year. In a case, STATE BANK VS. N. S. MONEY (10) reported in A.I.R.—1976 (Supreme Court page 111) His Lordship Justice Krishna Iyer observed thus :—

"This nine days' employment, tacked on to what has gone before, has ripened to a continuous service for a year on the antecedent arithmetic of 240 days of broken bits of service."

The Honourable High Court after discussing the scope of Section 25-F and 25-B of the I.D. Act and Article 12 of the Constitution of India in detail and considering all the points raised by both sides and after rejecting the several objections raised by the management in the light of the test laid down by his Lordship of the Supreme Court in the case referred above observe as follows :—

"Applying this test, it is seen that all the petitioners, except those in W.P. Nos. 2551; 2554 and 2636 of 1976 were in continuous service for not less than one year and hence without satisfying the conditions precedent to retrenchment laid down in Section 25-F, their services could not be terminated. They are therefore, entitled to the issue of a Writ of Mandamus directing their reinstatement with full back wages and all attendant benefits."

13. Thus it is clear that the respondent/management has failed to comply the mandatory provisions of Section 25-F. This fact is conceded by the management as observed by Their Lordships in the W.P.s. When a particular matter is decided it is not open for the respondent to re-agitate the same. In view of the specific finding on the matter in issue of their Lordships of the Honourable High Court in the W.P.s, the contentions raised by the management holds no water. For all these reasons I see no substance in the I.A. No. 17/80 filed by the Chief Manager, Central Bank of India, Hyderabad on behalf of the respondent/management and the same is dismissed. It therefore follows that the action of the management of the Central Bank of India, Divisional Office, Hyderabad in terminating the services of the petitioners herein without notice or the payment of notice pay and retrenchment compensation as required under the provisions of Section 25-F of the I.D. Act is illegal and unjustified.

14. The next point for consideration is whether the petitioners are entitled for the relief as prayed for. There is no evidence on the side of the respondent to show that the petitioners were employed elsewhere after terminating their services. Therefore they are entitled for the relief as prayed for.

15. In the result an Award is passed as follows :—The orders of termination passed against the petitioners by the management of the Central Bank of India, Divisional Office, Hyderabad in the years 1974, 1975 and 1976 are set aside. The management of the Central Bank of India, Divisional Office, Hyderabad is directed to reinstate the petitioners herein, viz.,

1. Shri Y. Narendra
2. Shri A. Ramachandra Rao
3. Shri A. Nagaraja
4. Shri Mohd. Taher
5. Shri A. Jayaram
6. Shri K. Ramapatanjali
7. Shri A. Rachiah
8. Shri Mohd. Khan
9. B. Padmanabha Rao
10. R. Satyanarayana Murthy
11. Shri M. V. V. Prasad
12. Shri T. Tata Rao
13. Shri G. Roop Kumar
14. Shri N. Nagraj
15. Miss K. Sashi Rani.

into service forthwith with continuity of service with full back wages together with all the other attendant benefits. The reference is answered accordingly.

16. Dictated to the Shorthand Writer, transcribed by him, corrected by me and given under my hand the seal of this Tribunal on the 30th day of October, 1980.

RUPENDER PERSHAD SAHGAL,
Chairman,

Addl. Industrial Tribunal (Central)

A. P. Hyderabad.

[No. L-12011(109)/78-D.II(A)]

N. K. VERMA, Desk Officer.

APPENDIX OF EVIDENCE

List of Witnesses examined

For the workmen : Nil.

For the management : Nil.

List of documents marked

On behalf of the Petitioners :

Sl. No.	Exhibit No.	Date of marking	Particulars
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1.	Ex. w-1	7-10-80	Judgment of the Hon'ble High Court of A. P. dt. 23-2-1978 in W.P. No. 2457 to 2564, 2628, 2633, 2636, 3122/76 & W.P.M.P. Nos. 5861 to 5878/77.
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On behalf of the management : Nil.

RUPENDER PERSHAD SAHGAL,

Chairman,

Addl. Industrial Tribunal (Central)

A. P. Hyderabad.

New Delhi, the 24th February, 1981

S.O. 728.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Union Bank of India, Nagpur and their workmen over stoppage of annual increment, which was received by the Central Government on 3-2-1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 BOMBAY

Reference No. CGIT-2/3 of 1979

PARTIES :

Employers in relation to the management of Union Bank of India, Nagpur
AND
Their Workmen

APPEARANCES :

For the employers : Shri K. R. Joshi, Personnel Officer.
For the workmen : Shri S. P. Chaudhari, President,
Vidarbha Bank Employees' Federation.

STATE : Maharashtra **INDUSTRY :** Banking
Bombay, dated the 28th January, 1981

AWARD

The Government of India have referred the following industrial dispute to this Tribunal acting under section 10(1)(d) of the Industrial Disputes Act, 1947 as per their order No. L-12012/62/78-D.II.A. dated 17-3-1979 :

"Whether the action of the Management of Union Bank of India, Nagpur in stopping one annual increment of Shri D. G. Satokar, Clerk, having the effect of postponing all his future increments for a period of one year, as a measure of punishment is justified ? If not, to what relief is the workman concerned entitled ?"

The case of the workman Shri D. G. Satokar, Clerk, Union Bank of India, Nagpur is espoused by the Union Bank Staff Association affiliated to the National Organisation of Bank Workers. The workman's increments for 3 years were stopped by the Enquiry Officer as per his order dated 20-4-77 which was reduced by the Appellate Authority (The Chairman and Managing Director) to stoppage of one increment with cumulative effect, as per his order dated 22-12-77. Besides this, he received only subsistence allowance during the period of suspension viz. 12-4-76 to May, 1977. He was found guilty of having instigated the members of the staff of Bhusaval Branch during January and February 1976 to adopt non-cooperative attitude towards the Branch Manager and other Officers of the Bank. The Union raised an industrial dispute and referred the same to the A.L.C.(C) Nagpur for his intervention. The efforts at conciliation having failed, a failure of conciliation report was submitted to the Ministry, on receipt of which the present reference is made to this Tribunal. The Union in their written statement of claim questions the correctness of the finding of the Enquiry Officer holding the workman guilty. They contend that the workman has been punished for his legitimate trade Union activity. He was the General Secretary of the Union Bank Staff Association during the relevant period. The Union has also pointed out some informations in the enquiry proceedings which according to them go to the root of the matter. The Union demands that the Enquiry Officer's finding and the punishment imposed on the workman as a result thereof may be set aside and the arrears of wages may be paid to the workman.

The Management in their memo. dated 5-3-80 pointed out that the Union Bank of India should have been made a party to this dispute and not the Regional Manager alone so that an Award binding on the Bank could be passed. The Union by their petition dated 4-5-79 prayed for the impleading of the Chairman and Managing Director that passed the final order on the appeal preferred by the workman.

The Bank in their written statement dated 1-4-80 contented that the enquiry was conducted by Shri M. S. Sodhi the Assistant Superintendent observing all the relevant provisions of the Bipartite settlement and the principles of natural justice. They deny the allegation of victimisation for legitimate trade Union activity.

On 25-4-80 they filed a further written statement taking the plea that the Union is not competent to espouse the

cause of the workman herein in the absence of a resolution passed by a substantial number of the workmen of this Bank. It is also stated that the Union should prove that substantial number of the employees of the Bank are its members who are interested in the present dispute being raised. They also state that if this Tribunal is to hold that enquiry is vitiated for any or all the reasons mentioned in the statement of claim they should be given an opportunity to lead evidence afresh before this Tribunal.

On the above pleadings the following issues arise for consideration :

- (1) Whether the Chairman and Managing Director of the Bank or the Bank itself is a necessary party to this Reference ?
- (2) Whether the Union is competent to raise the present industrial dispute ?
- (3) whether the enquiry proceedings are vitiated for any of the reasons mentioned in the statement of claim ?
- (4) Whether the findings of the Enquiry Officer are based on no evidence ?
- (5) Is this Tribunal competent to direct payment of full wages for the period of suspension, in the event of the findings of the Enquiry Officer being set aside ?
- (6) To what relief ?

Issue 1 :

My predecessor Shri J. N. Singh held by his order dated 31-3-80 that when the management of the Bank was impleaded as a party to this reference, it was unnecessary to bring on record either the Bank or its Chairman and Managing Director as a party to make the award binding on the Management.

Issue 2 :

By his order dated 1-9-80 Shri J. N. Singh has held that the present industrial dispute raised by the Union is valid and maintainable.

Issue 3 :

Shri S. P. Choudhary for the Union submits that since the requirements of para 19.12 of the first Bipartite (I.B.P.) settlement are not followed, the enquiry is vitiated. According to him the charge sheet does not require the workman to submit his explanation to the several charges. As the charge-sheet did not call for any explanation the workman did not file any. The Enquiry Officer in the last para on page 2 of his report observed that it would have been desirable to mention in the charge-sheet that the delinquent could file his explanation to the charges, if he so desired. But he is of the view that omission to mention that did not vitiate the enquiry, as para 19.1 of the Bi-partite settlement confers a right on the charge sheet Employee (C.S.E.) to submit an explanation to the charge-sheet. The workman herein being the General Secretary of the Union should be presumed to be familiar with the provisions of that settlement. There was enough interval of time between the date of service of the charge-sheet in April 1976 and the date fixed for the commencement of the enquiry proceedings viz. 6-10-76. No prejudice can be said to have been caused to the workman on this score. It is said that the charge-sheet itself should indicate the date fixed for hearing. I do not think so. The subsequent notice issued by the Enquiry Officer clearly mentions the date of enquiry. The charge-sheet mentioned the date of the workman's visit to the Bhusaval Branch and his misconduct on that date as 20-2-76. By a notice dated 20-8-76 issued to the workman that date was corrected to 19-2-76. In my opinion there is nothing wrong in this. The workman does not say he has suffered any prejudice on this account. It is then argued that Shri J. P. Narayan the Personnel Officer who signed this letter is not competent to do so. It is contended that the Officer (i.e. Superintendent) that issued the original charge-sheet alone could correct the date. The Bank argues that Shri J. P. Narayan signed that letter of correction for the Superintendent and not for himself. It is further pointed out that Shri J. P. Narayan himself being a duly constituted disciplinary authority is competent to sign the correction letter himself. The letter Ex. M-2 dated 13-5-74 authorises Mr. J. P. Narayan to take disciplinary action against any workman and this fact is duly communicated to all the Branches as per Ex. M-1. It is not submitted that the name of the Enquiry Officer Shri M. S. Sodhi was not disclosed in the charge sheet as required in para 19.12.

The Enquiry Officer Mr. Sodhi under his signature issued the notice dated 14-9-76 fixing the date of enquiry as 6-10-76. The enquiry actually commenced on 19-1-77. Thus the workman had ample time to object to Mr. Sodhi holding the enquiry, if he apprehended any miscarriage of justice at his hands. Nothing is alleged against Mr. Sodhi in this regard.

Apart from the violation of certain provisions of Section 19.12, it is not the Union's case that there has been any violation of the principles of natural justice in the conduct of the enquiry.

Issue 3 held against the Union.

Issue 4 :

The background for this dispute may be indicated. From November 1975 during the period of emergency, the management seems to have ceased to be liberal in the matter of payment of overtime wages. The staff members at Bhusaval Branch began resenting this. Their Union A.I.B.E.A. did not take up this issue with the management. The N.O.B.W. stopped in to take up their case. It was in this connection the workman along with another Union leader Mr. Pathak visited Bhusaval Branch on 19-2-76.

The case against the workman as stated in the charge-sheet is that on 19-2-76 he being an office bearer of a Union not recognised by the Management entered the Bhusaval Branch Bank premises during working hours i.e. at about 3.30 P.M. without obtaining previous permission of the Branch Manager to discuss certain staff problems. Thereafter he instigated the staff members to adopt non-cooperative attitude towards the Branch Manager and the Officer of the Branch and further insisted the staff members to claim overtime for the work they could very well finish during their normal working hours. The workman's visit to the Bank on 19-2-76 caused unnecessary disruption of the smooth working of the Bank. As a result of this visit the staff members felt encouraged to allow the work to accumulate and also to refuse to adhere to the instructions of the Branch Manager in completing the assigned duties during office hours. It may be noticed that the workman at the relevant time was an office bearer of the Staff Union affiliated to N.O.B.W. He was working as a Clerk in the Nagpur Branch of the Bank. The Enquiry Officer found that the charges viz. entering the premises of the Bhusaval Branch to discuss staff matters with the Branch Manager and (2) inciting the staff members to refuse to adhere to the instructions of the Branch manager in completing their assigned duties during office hours are not proved. He found that on the instigation of the workman the staff members Demle, Jain and Tambe, during the period January 1976 to April 1976 deliberately committed mistakes in their day to day work and Tambe refused to attend to the work of collection. Shri Choudhary for the workman submits that this finding is not based on any evidence. In support of their case the Bank examined M/s. Damle, Jain and Tambe. The Enquiry Officer at page 4 of his enquiry report observes M/s. Jain and Tambe denied that they were instigated or encouraged by the workman herein to commit mistakes wilfully. It may be stated that these three employees and two others of Bhusaval Branch were served with charge-memos on 12-5-76 for their indifferent work, deliberate commission of mistakes, allowing arrears to accumulate etc. They were also suspended pending enquiry into the charges. The workman in their explanation to the charges admitted their mistakes and prayed for pardon. We are told that they were also punished with stoppage of increments for one year with cumulative effect. Damle's explanation is Ex. W 4. In para 3 of Ex. W 4 he stated that because of the domestic troubles and a "little bit" instigation he committed the mistakes complained of. He does not give the name of the person or persons instigating him. In his evidence he stated he was on leave from 19-2-76 to 21-2-76. 19-2-76 is the date of the workman's visit to Bhusaval Branch. He went on to say that the N.O.B.W. leaders Mr. Pathak and the workman herein instigated him. He added that the instigation was limited to their keeping to strict timings and not to clear arrears sitting beyond the prescribed banking hours, whatever the nature of the arrear work might be. He says the Union leaders did not advise him to commit wilful mistakes during working hours. The Enquiry Officer says that because the workmen M/s. Jain, Tambe and Damle were never given charge memo of any sort prior to January 1976 and the mistakes committed by them occurred only during the period January to April 1976, the case of instigation by Mr. Satokar should be true. It may be noted that the workmen left the N.O.B.W. Union

by April, 1976. He also observes that Satokar visited Bhusaval often, even prior to 19-2-76 and such visits should have been only in connection with the Union activity. He observed that on probabilities it should be inferred that the mistakes committed by the 3 clerks M/s. Damle, Jain and Tambe were a direct result of the instigation of the workman. As pointed out by Mr. Choudhary there is no evidence to show that the workman visited Bhusaval either before 19-2-76 or thereafter. There is no evidence on the record other than Damle's to show the nature of talks if any he had with the staff members of the Bhusaval Branch. We do not know what advice the workman gave the staff members to register their protest against the high handed action of the Management. When according to Damle, Satokar (the workman) and Pathak another Union leader instigated them not to agree to work beyond the prescribed hours, unless the Branch Manager signed the overtime slips the Enquiry Officer thinks that the incitement given by the workman alone must have been responsible for the acts of omission and commission of the staff members. Both Mr. Pathak and the workman (Satokar) in their evidence stated that they advised the workers in Bhusaval Branch to put in sincere work during the prescribed office, hours and despite that if there were arrears they should not clear the arrears by working beyond time unless the Management agreed to pay them the overtime wages. Pathak stated that he had visited Bhusaval prior to 19-2-76 to meet the members of the staff. But the workman speaks to his having visited that place only on 19-2-76. A reading of the Enquiry Officers' report shows that on mere suspicion he found the workman guilty of having encouraged the staff members to non-cooperate or to commit deliberate mistakes in the accounts. There is no evidence worth the name to sustain his finding.

For the aforesaid reasons issue 4 found against the management.

Issue 5 :

Pending the enquiry into the charges the workman was kept under suspension from 12-4-76 to 1-5-77 for which period he was paid subsistence allowance as per rules. Shri Choudhary for the workman submits that if the finding of the Enquiry Officer is to be set aside by this Tribunal, the workman should be allowed to draw his full salary and consequential benefits for the period of suspension less the subsistence allowance already paid. Shri Joshi for the management submits that the right to draw difference in wages for the period of suspension is not part of the dispute referred to this Tribunal. The schedule to the order of reference does not refer to this issue, but only deals with the question of stoppage of increment. But before the conciliation officer this issue was raised and the legality of the order of suspension and stoppage of increment were both challenged. But the dispute relating to the suspension does not appear to have been referred for adjudication. On a plain reading of the order of Reference Shri Choudhury submits when the basis for the order of suspension, viz. the alleged misconduct, is not proved the order of suspension can have no less to stand. I agree. If for any reason it is to be held that the order of suspension cannot be considered by the Tribunal in the light of the order of reference, the management should take the earliest opportunity, to take the initiative and pay the workman the arrears of salary less payments made during the period of suspension.

Issue 5 found accordingly.

Issue 6

In the result this reference is answered as follows :

The action of the management of Union Bank of India, Nagpur in stopping one annual increment of Shri D. G. Satokar, clerk, having the effect of postponing all his future increments for a period of one year, as a measure of punishment is not justified.

The management is directed to pay the arrears of increment accruing to him from the date they were stopped. The management is further directed to pay him the wages for the period of suspension 12-4-76 to 1-5-77 less the amounts already paid along with other benefits following therefrom.

Parties are directed to bear their own costs.

Sd/-
P. RAMAKRISHNA, Presiding Officer
[No. I-12012/61/78-D.II(A)]

N. K. VERMA, Desk Officer